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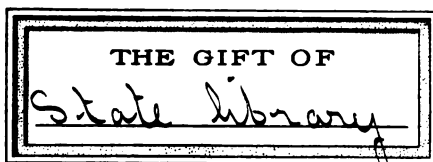
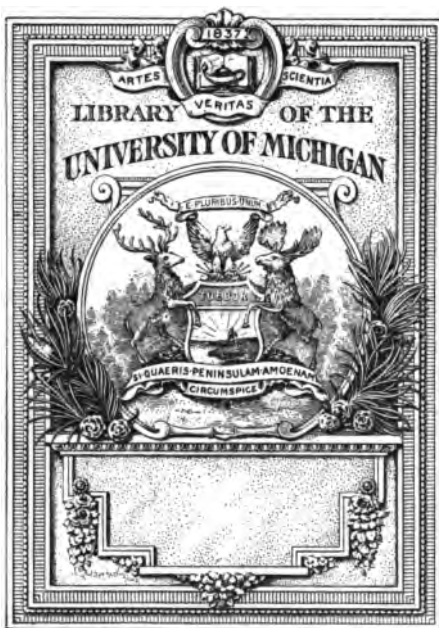
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JOURNAL

OF THE

INDIANA STATE SENATE

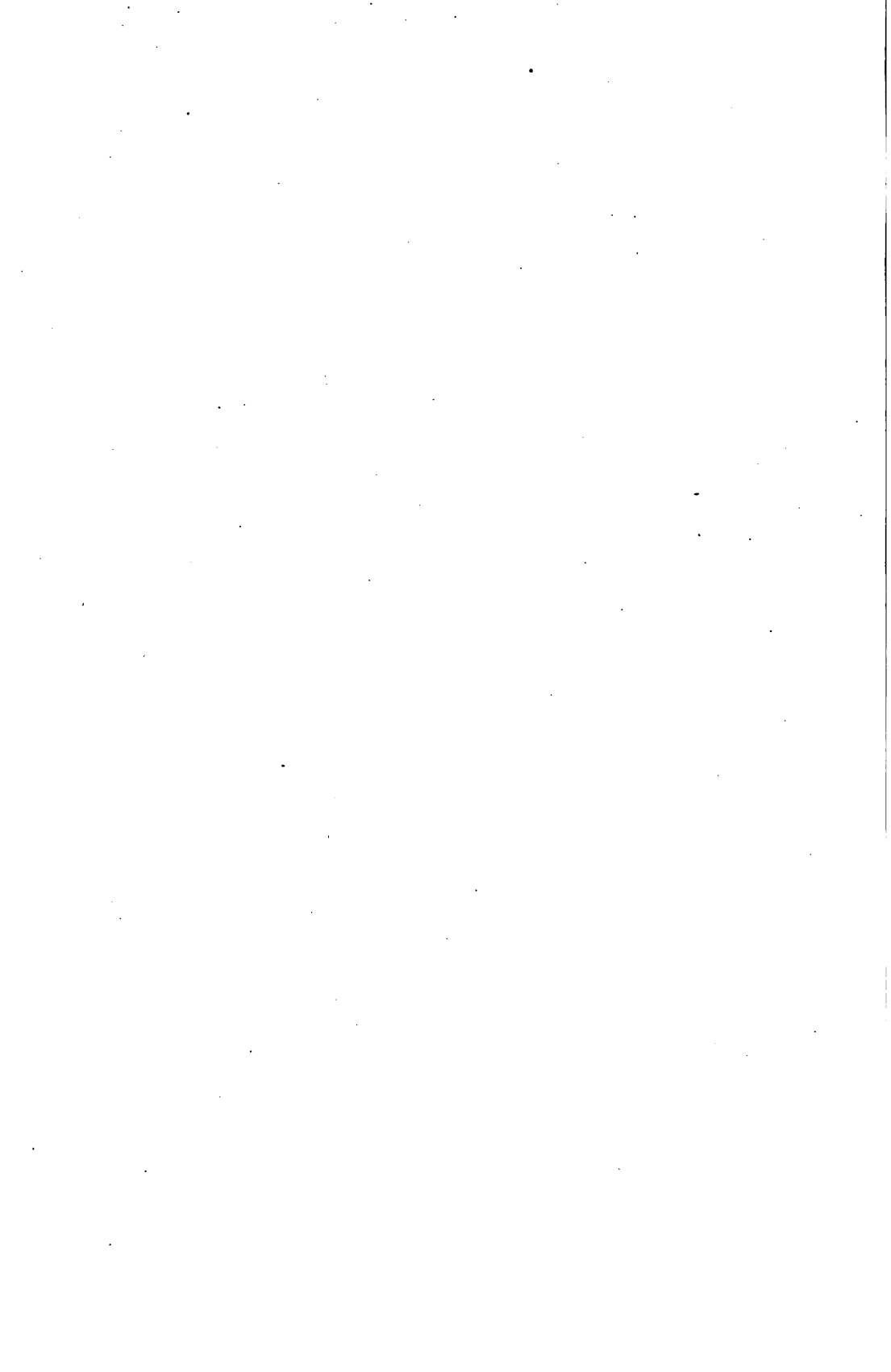
DURING THE

Special Session of the Sixty-fifth General Assembly

COMMENCING

FRIDAY, SEPTEMBER 18, 1908

INDIANAPOLIS:
WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING,
1908.



JOURNAL
OF THE
STATE SENATE OF INDIANA

Friday, September 18, 1908.

The Senate was called to order at 10 o'clock by Lientenant-Governor Miller, President of the Senate.

Rev. Allen B. Philputt, of the Central Christian Church, Indianapolis, opened the session with prayer.

By direction of the President the principal Secretary read the call for the Special Session issued by Gov. J. Frank Hanly, as follows:

**EXECUTIVE DEPARTMENT OF THE STATE OF
INDIANA.**

The Constitution of the State devolves upon the Governor the duty of calling a special session of the General Assembly whenever in his opinion "the public welfare shall require it."

In my opinion, the public welfare does now require a special session of the General Assembly of the State of Indiana.

THEREFORE, I, J. Frank Hanly; by virtue of the authority so conferred upon me as Governor of said State, do hereby call upon the General Assembly of the State of Indiana to convene in special session on Friday, September 18th, A. D. 1908, at the hour of 10 o'clock a. m.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the city of Indianapolis, this 4th day of September, in the year of our Lord 1908, in the year of the independence of the United States the 133d, and in the year of the admission of the State of Indiana the 92d.

J. FRANK HANLY,

Governor of the State of Indiana.

By the Governor: FRED A. SIMS,

Secretary of State.

The President ordered the call of the roll.

The following responded to their names:

Beardsley, Bingham, Bland, Bowser, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kistler, Kittinger, Kling, Koehne, Lane, McCallum, McDowell, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Moss, Orndorf, Parks of Clark, Parks of Marshall, Patterson, Pearson, Pelzer, Ranke, Roemler, Shafer, Slack, Springer, Stephenson, Stotsenburg, Strange, Tyndall, Wickwire, Wood of Jackson, Wood of Tippecanoe, Mr. President. Total, 47.

The President called attention to the fact that all were present except three, two of whom, Senator John Benz, of the — district of Dubois, Crawford and Perry Counties, and Senator John C. Farber, of the district of Carroll and Clinton, had passed away in death since the adjournment of the regular session. He spoke with feeling of the loss to the Senate, the State and to their families of these able and useful Senators.

The third absentee was Senator McCain, who had resigned to become postmaster of Kentland.

The President declared that the officers of the regular session were officers of the special session under section 7556 Burns Revised Statutes, which reads as follows:

7556. (6684) Tenure of Elective Officers.—2.

The officers of the Senate and House of Representatives, who may be elected at the first session of any General Assembly in this State, shall be the officers of each subsequent session of the same General Assembly, unless removed or suspended.

The President declared, therefore, that unless there was objection, the President Pro Tem, the principal Secretary, the Assistant Secretary, and the principal Doorkeeper of the regular session would be the officers of the special session. No objection being heard, it was so ordered.

Senator Bland offered Senate Resolution No. 1, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That a committee of three be appointed to notify the House that the Senate is organized and ready for the transaction of public business.

Which resolution was adopted.

The President appointed Senator Bland, Senator Wood of Tippecanoe, and Senator Kistler in accordance with this resolution.

Senator Goodwine offered Senate Resolution No. 2, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the Senate rules of the regular session of the 65th General Assembly be continued in force until

otherwise ordered, and that no unfinished business of the Senate at the regular session of the 65th General Assembly be taken up, considered or disposed of by the Senate at this special session.

Which resolution was adopted.

Senator Kirkman made the following motion:

MR. PRESIDENT:

I move that when the Senate adjourns it adjourn until 10 o'clock a. m., Saturday, September 19, 1908.

Which motion prevailed.

Senator Ganiard offered Senate Resolution No. 3, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That a committee of three be appointed to wait upon the Governor with a like committee from the House and notify him of the organization of the houses and learn when he wishes to communicate with the General Assembly.

Which resolution was adopted.

Senator Roemler offered Senate Resolution No. 4, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the Secretary and Assistant Secretary of the Senate shall make requisition upon the Bureau of Public Printing and Stationery for all supplies needed for their respective offices and for the use of all committees of the Senate and any printing, binding or stationery procured elsewhere is unauthorized and hereby prohibited,

and no supplies shall be ordered except such as are needed for immediate use.

Which resolution was adopted.

Senator Kling offered Senate Resolution No. 5, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That a committee of three be appointed to report on the mileage to which Senators are entitled.

Which resolution was adopted.

Senator Stotsenburg offered Senate Resolution No. 6, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Whereas, Since the adjournment of the Sixty-fifth General Assembly of the State of Indiana, the Hon. John Benz, representing Crawford, Dubois and Perry Counties in this Senate, departed this life to the loss of the State of Indiana, and to the profound sorrow of the members of this body and all who knew him, therefore, be it

Resolved, That, in testimony of the esteem in which we held him while living, and the love and veneration in which we cherish his memory, that a committee of three be appointed to report to this Senate a suitable memorial to his life and services, and instructed to report to the Senate at the morning session of September 19, 1908.

Which resolution was adopted.

The President appointed Senators Stotsenburg, Slack and Mock, in accordance with this resolution.

Senator Wood of Tippecanoe reported that the committee to notify the House had performed its duty and

begs leave to report that the House had been notified that the Senate was organized and ready for duty; the committee further reported that this duty had been performed without the loss of a single man.

A committee from the House appeared and reported to the Senate that the House was organized and ready for business.

The committee also invited the Senate to meet with the House to listen to the Governor's message.

The President announced the appointment of the following Senators in accordance with the action adopted under Resolution No. 3:

Ganiard, Strange and Wood of Jackson.

Senator Mattingly offered Senate Resolution No. 7.

MR. PRESIDENT:

I move that the President of the Senate appoint a committee of three to prepare and report suitable memorial resolutions expressive of the sentiments of the Senate touching the life and character of Hon. John C. Farber, late a member of this Senate from the counties of Clinton and Carroll.

Which resolution was adopted.

The President announced the appointment of the following Senators in accordance with the above resolution:

Mattingly, Kling and Tyndall.

At 10:21 a. m. the Senate took a recess.

At 10:27 a. m. the Senate reconvened.

Senator Ganiard of the committee to notify the House that the Senate was organized for business reported that the Senate was invited by the House to meet in the cham-

ber of the House at 10:45 to listen to the Governor's message.

Senator Kittinger moved that the Senate take a recess until 10:40, which motion prevailed.

The Senate reconvened at 10:40.

Senator Wickwire moved that the Senators proceed in a body to the chamber of the House to hear the Governor's message.

Which motion prevailed.

The Senate marched to the chamber of the House of Representatives.

THE JOINT SESSION.

The joint session of the Senate and House of Representatives was called to order in the chamber of the House of Representatives by Lieutenant-Governor Miller at 10:45 a. m.

The Lieutenant-Governor appointed as a committee to wait on the Governor to notify him of the readiness of the joint session to hear his message: Senators Pearson, McCallum, Shafer, and Representatives G. A. Elliott, Parker and White.

At 10:50 o'clock a. m. the Governor, preceded by the committee, entered the hall of the House of Representatives and was introduced by the presiding officer, and proceeded to address the members of the special session of the Sixty-fifth General Assembly.

The Governor's message was as follows:

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

You are convened in extraordinary session because the welfare of the State requires it. The matters I submit to

you are important, but they will not, I hope, necessitate more than a brief session. Unity of action and singleness of purpose to meet the requirements of the public welfare will enable you speedily to return to your homes. The Constitution imposes upon the Executive the duty of giving you "information touching the condition of the State" and of recommending for your consideration "such measures as he shall judge to be expedient."

The following specific appropriations were made at the late regular session of the General Assembly for the State institutions named, to wit:

SPECIFIC APPROPRIATIONS.

Purdue University, agricultural experiment station building, \$100,000.00. The Indiana Girls' School, one cottage, \$25,000.00. The Indiana Village for Epileptics, for buildings and equipment, \$75,000.00. The Indiana State Normal School, library, \$99,970.00. The Indiana School for the Deaf, dormitories, equipment, etc., \$367,272.00. The Indiana Southeastern Hospital for the Insane, eighteen buildings, equipment, etc., \$559,377.82. Total, \$1,226,619.82. Of this aggregate sum, \$410,645.03 have been expended, leaving unexpended balances aggregating \$815,974.79.

There was also appropriated at the late regular session the sum of \$53,000.00 for the following purposes, to wit:

A statue of General Lew Wallace for the National Capitol, \$5,000.00. A monument in honor of the Indiana soldiers who died at Andersonville, Georgia, during the Civil war, \$10,000.00. Monuments marking the position of the different Indiana military organizations at Vicksburg, Mississippi, \$38,000.00.

Substantially all of these several sums are unexpended, making an aggregate unexpended balance of approximately \$869,000.00.

Contracts for the construction of the buildings, structures and monuments named have been let and the work of

construction is well under way, but no one of them is now completed or can be completed by the 30th instant.

The agricultural experiment station building is under roof, but is otherwise incomplete. Of this appropriation \$21,480.00 are unexpended, and under the law will lapse and cease to be available on the 30th instant.

The new cottage at the Girls' School is under roof, but is incomplete; \$17,982.75 of the sum appropriated for it is unexpended, and will lapse and cease to be available on the 30th instant.

The new buildings at the Village for Epileptics are enclosed and under roof. One of them, however, is otherwise incomplete. Of this appropriation \$17,084.13 are unexpended, and under the law will lapse and cease to be available on the 30th instant.

The new library at the State Normal School is not yet under roof. Only a small portion of the appropriation made for it has been expended, leaving an unexpended balance of \$87,096.29. This unexpended balance will lapse and cease to be available on the 30th instant.

The new dormitories at the School for the Deaf are being placed under roof, but are otherwise incomplete. Of the sum appropriated for them \$171,395.25 is unexpended, and will lapse and cease to be available on the 30th instant.

The eighteen buildings at the Southeastern Hospital for the Insane are but partially constructed. Some of the buildings covered by the general appropriation of 1905 are under roof, but the buildings covered by the appropriation made at the regular session of the present Assembly are in a condition that requires continuous effort and prompt prosecution of the work to save them from damage and deterioration during the coming winter. Some are ready for roofing; the walls of others are nearly completed. None can be gotten under roof during the present month; \$500,936.37 of the sum appropriated for their construction will lapse and cease to be available on the 30th instant. If

these buildings are left in their present condition the damage to all of them will be great, and to some of them irreparable.

The need of this hospital is imperative. All the existing hospitals for the insane are crowded to their limit. A thousand other insane persons are either being inadequately cared for by friends or are confined in county infirmaries or county jails. Unnecessary delay in the completion and opening of this institution would be little less than criminal.

The appropriations for these buildings were not made available until October 1, 1907—last year. Section 5 of the act of 1907, defining the fiscal year and providing for the covering of unexpended appropriations into the general fund of the treasury, makes it the duty of the Treasurer of State “biennially, at the end of the fiscal year immediately preceding each regular session of the General Assembly, to cover and transfer into the general fund of the treasury the unexpended balances of all specific appropriations except such as shall have been made available beyond said time by the act appropriating the same.”

None of the appropriations to which I have called your attention is made available beyond the end of the present fiscal year; the 30th instant, by the act authorizing them. Therefore, all will lapse and cease to be available at that time.

These provisions of the law limit the time in which the several appropriations named are available to a single building season. It has been physically impossible to complete groups of buildings such as those at the School for the Deaf and at the Southeastern Hospital for the Insane within that time.

Provision for the continuance of each of these appropriations should be made. Failure to do so will have the effect to suspend the work of construction on all these buildings on the date named. The Sixty-sixth General As-

sembly will convene in regular session at a season of the year when construction work can not be successfully prosecuted. Unless payment to the contractors having their construction in charge is authorized by a continuance of the appropriations heretofore made, the buildings will be left in an incomplete and unfinished condition until the building season opens next year. I therefore submit to you the need of prompt legislation which shall continue each of said several appropriations and make them available for the purposes named until the end of the fiscal year 1909.

The new cottage at the Girls' School can not be constructed, equipped and made ready for occupancy for the sum appropriated, \$25,000.00. The board of trustees has not contracted a liability beyond this sum, but I am advised that direct heating and water connection will necessarily have to be made between the cottage and the power house. The estimated cost of this line and its connections is \$10,000; the cost of plumbing, sewerage, electric lighting, cistern and equipment is \$4,000.00; furnishings, \$3,000.00, making a necessary additional appropriation of \$17,000.00. This should be made at the present session, as the building will damage unless heat can be carried to it before winter.

An appropriation of \$6,500.00 was made at the late session of the General Assembly for a store house and cold storage plant at the Girls' School. This plant is now nearing completion, but an additional sum of \$2,000.00 is required to equip and make the plant ready for use. This item should be included and added to any appropriation you may make for this institution.

The contract for the construction of the buildings at the Southeastern Hospital for the Insane was originally let to E. M. Campfield for the sum of \$1,171,798.00.

Mr. Campfield entered upon the work of construction immediately after the execution of his contract, but his work was so unsatisfactory, so deficient in quality of workmanship and of material he sought to use, and was prosecuted with such indifference, delay and lack of good faith,

that the Commission was compelled, in order to protect the interests of the State, to forfeit his contract in March of the present year. The Commission took possession, for the benefit of the State, of all materials on the ground, as provided for by the statute and the terms of the contract with Mr. Campfield. Every effort was made to induce the surety on Mr. Campfield's bond to take up the work and complete it, but without avail. Then the Commission advertised for the re-letting of the contract by full advertisement as provided by law. Six bids were received, and on May 1, 1908, the work was re-awarded and re-let to Messrs. Pulse & Porter, the lowest bidders, for the sum of \$853,-909.35. This sum, taking into account the work done by Mr. Campfield and the sum paid him therefor, is \$151,-738.11 in excess of Mr. Campfield's contract. Mr. Campfield's bid was \$73,193.00 below his nearest competitors, and his contract one that could not be performed without loss.

The Commission made a contract with Messrs. Pulse & Porter to the extent of present appropriations, and entered into a provisional contract for the completion of the buildings named therein, subject to the ratification thereof by the General Assembly and the appropriation of a sum sufficient to complete the same. The work at the institution was delayed, because of Mr. Campfield's failure and the consequent forfeiture of his contract, the re-advertisement and re-letting of the same, for a period of two months.

The contract between the Commission and Messrs. Pulse & Porter is a just one. They are doing their work in a satisfactory manner, both as to quality of material being used and character of workmanship, and are pressing the work in a manner to evidence their good faith. The contract with them should be affirmed and legalized at this session, that there may be no technical defense when suit is brought upon the bond of Mr. Campfield. The sum of \$151,738.11 should be appropriated in addition to the appropriations heretofore made, and should be immediately available, for the completion of the buildings named in

such contract, and should continue available until the end of the fiscal year 1910. This is of immediate and pressing importance, and I trust you will not fail to give it early and favorable consideration. The State has ample money to meet all these necessities, there being at the time of writing this message \$896,180.76 in the treasury, with half a year's revenues to accrue in December.

I can not urge these institutional needs too earnestly. Failure will mean substantial loss to the State, embarrassment to contractors, and may lead to many legal complications.

APPROPRIATIONS FOR MAINTENANCE.

By recent legislation the Girls' School and the Women's Prison were separated, the school removed to a site near Clermont and the Women's Prison remodeled and a portion of the building converted into a workhouse for women. The actual separation of the institutions was effected in July, 1907. The cost of administration in the separate institutions has necessarily been greater than the administration of the single institution. The appropriation made for the maintenance of each has been greatly insufficient to meet the new conditions. Both institutions are now being efficiently administered and the improvement in the administration of each has been such as to amply justify the separation of the two institutions.

Up to August 1, 1908, I paid out of the Governor's emergency contingent fund, for the maintenance of the Girls' School, \$8,945.45. August and September bills for maintenance are yet to be met. To meet these bills an appropriation of \$8,000.00 will be necessary. Up to September 1st I paid out of the Governor's emergency contingent fund, for maintenance of the Women's Prison, \$3,236.58, with September bills for maintenance still to be met. These will require an additional appropriation of \$1,000.00. The appropriation made for the Boys' School has also been found insufficient. August and September bills are to be provided for. An additional appropriation

of \$7,000.00 will be required. The exigencies of the other institutions have from time to time drawn upon the emergency contingent fund during the fiscal year until it is now insufficient to meet these demands. The maintenance appropriation for these institutions which will become available on October 1st, can not be used to meet the unpaid accounts of such institutions for the present fiscal year. Therefore, the appropriations suggested are absolutely essential to their administration. The year just closing has been a hard one on all the institutions of the State. Provisions have been high. In most cases unusually so. Gardens upon which the Girls' School and the Boys' School have largely depended for sustenance during the summer have been wholly inadequate to meet their needs because of the long-continued drouth.

NIGHT RIDERS.

In the early spring numerous raids were made in the part of the State bordering upon the Ohio river by so-called "night riders" upon the property of persons engaged in the growing of tobacco, resulting in the destruction of a number of tobacco beds where young plants were being grown preparatory to transplanting in the fields. Many threatening letters were written warning the growers not to plant a tobacco crop for this year, and threatening personal violence and the destruction of property if the crop were planted. I have done what I could under the limited authority conferred upon the Governor by law and with the meager funds in my hands, to apprehend these persons and protect the persons and property of citizens in that section of the State. In a few weeks the tobacco crop will be cut and housed in sheds and barns. Many threatening letters are again being received by the tobacco growers warning them not to cut their crops at peril of the destruction of crops and barns by fire. For a year past one-third of the neighboring State of Kentucky has been, and now is, in a state of anarchy; neither life nor property is secure. Property has been destroyed and a number of

persons murdered. Depredations have been committed in Ohio necessitating special legislation and the conferring of special authority upon officers in that State to preserve the property and lives of her citizens.

The protection of property and its peaceful enjoyment and the preservation of the lives of its people are among the primal reasons for the maintenance of any government. I can not consent that the government of this commonwealth shall fail in this behalf. Under the present law I have neither authority nor money with which to prevent it.

I therefore recommend the enactment of a statute for the protection of tobacco growers, making the destruction of, or injury to, tobacco, either in the field or after the same shall be severed from the soil, a criminal offense, and fixing a severe penalty therefor. I also recommend legislation authorizing and directing the Governor to appoint such number of persons as he may deem necessary to act as secret service officers, to detect or apprehend any person or persons engaged in the malicious destruction of tobacco plants or other property of persons engaged in growing, curing and marketing of tobacco; giving to such officers the powers of a sheriff or other police officer to arrest and detain until a legal warrant can be obtained any person or persons found violating any of the laws of this State enacted to prevent the destruction or injury of tobacco, and giving to the Governor authority to fix the compensation of such officers in addition to their actual and necessary expenses, and the making of an appropriation of \$15,000.00 for the payment and compensation of such officers and their necessary expenses.

The enactment of such legislation will of itself have a deterring effect upon those engaged in the unlawful practices to which I have adverted and will enable the Executive to meet with greater efficiency the conditions that are likely to arise.

VINCENNES UNIVERSITY CLAIM.

An act was passed at the late regular session of the General Assembly providing for the issuing of \$120,548 of bonds of the State to the trustees of Vincennes University. This act creates a State debt, principal and interest, of more than \$156,000.00. The bonds were prepared by the Auditor of State and tendered to me for Executive signature. I have not executed them because of a firm conviction that the statute authorizing them is unconstitutional. While the claim of the university against the State is unfounded and wholly without merit, this fact would not have impelled me to withhold my signature. The act was passed over Executive veto, and if it were a valid act it would be my duty to execute the bonds, whatever I might think of the merit of the claim. If, however, as I verily believe, the act is invalid because of its contravention of the plain provisions of the Constitution, I would be violating my oath of office to issue the bonds. My obligation is to support the Constitution of the State. If the act contravenes the Constitution, it is not a law, and I am under neither legal nor moral obligation to do any act under it. Indeed, any act taken would in such case be invalid, and a violation of both my legal and moral obligation.

The facts set forth in the veto message of the act in question are such as to convince any unbiased investigator of the claim's utter lack of merit.

I have submitted the question of the constitutionality of the act to Messrs. Miller, Shirley & Miller, counsel of ability and eminence in their profession, and I am advised by them that in their opinion the act contravenes section 5 of article 10 of the Constitution and is void.

I have also submitted the question of the constitutionality of the act, considered in the light of the facts set forth in the veto message, to the Attorney-General, and I am advised by him that upon the facts stated the act is clearly unconstitutional.

I therefore deem it my duty to ask you to examine the opinion of Messrs. Miller, Shirley & Miller, together with that of the Attorney-General, and to re-examine the facts as set forth in my former message. Calm and candid consideration of these I am persuaded will lead you to support the act's repeal. Its repeal will save the State more than \$156,000.00, principal and interest, a sum sufficient to several times defray the expense of the present session. No new right has accrued to the university since the passage of the act. The merit of their claim is now precisely what it was before the act was passed. The status of neither party has changed. Their rights will therefore not be affected by the repeal of the statute.

If the claim of the University against the State is not valid in law, the General Assembly has no authority to authorize the issuing of bonds or the creation of a debt to meet it. It can not make a gift to the university in that way. It can not incur a debt for that purpose. The issuing of the bonds is an attempt to create a debt. They are obligations of the State to pay the holder of them, principal and interest, \$156,000.00. If they are invalid they ought not to be issued to find their way into the hands of innocent investors.

If the State desires to bestow a gratuity upon the university because it is an educational institution which the State wishes to foster, it must bestow the gratuity in money and not in evidence of indebtedness. If it does that, it enters upon a policy of such far-reaching import as to cause thoughtful men to hesitate before yielding assent thereto. If the State is to give to Vincennes university \$156,000 in the next ten years, why shall it not give similar amounts to Wabash college, to DePauw university, to Franklin, to Hanover, to Earlham, and to the other colleges and universities of the State, all of which are schools of at least equal merit, doing equally efficient work? Such a policy simply means the taking over for maintenance of all the higher institutions of learning of the commonwealth, and

involves a departure from the precedents of a hundred years.

Copies of the opinion of Messrs. Miller, Shirley & Miller, of the opinion of the Attorney-General and of the veto message will be supplied you for examination and consideration.

COUNTY LOCAL OPTION.

The welfare of the State, viewed from either a moral or an economical standpoint, requires the enactment of a law giving to the qualified voters of the respective counties of the State the right to vote upon the question of the exclusion of the liquor traffic from any such county. In my judgment it is both expedient and right that this legislation be enacted now.

The traffic in intoxicating liquors is owned and controlled today by a few men. It is closely and compactly organized, both for defense and aggression. Its conduct has become such as to challenge the thoughtful consideration of the people of every State in the Union. In this commonwealth this is especially true.

The independent retail dealer, owner of his place of business and responsible to the community where he does business and in which he lives, is fast becoming a memory. He has almost ceased to be. More than thirty-five per cent. of the places where liquors are sold at retail, to be drunk on the premises where sold, are owned or controlled by brewery corporations, whose directors and officers live out of the vicinity where the business is carried on, and who have no interest or identity with the people of such communities. Many of them live in palatial residences in fashionable quarters in the larger cities of the State, far removed from the scenes of the bar rooms they maintain.

These men, acting through legal fiction called a corporation, buy or rent the buildings where the business is conducted. They own the fixtures. They furnish the liquors. They pay the license fee. Where taxes are paid, they pay

them. The law inhibits the issuing of a license to a corporation. To evade this, license is taken in the name of some irresponsible person who owns no property and has no concern and no mission except to sell intoxicants to anybody, at any hour, on any day, in order that his master, the brewer, may gather his daily measure of profit. The brewery corporation, the brewer himself, or some paid agent executes the bond required of the licensee, and he is given to understand that he must conduct the place turned over to him at a profit to his master, and that he may evade the law without substantial risk. If he is prosecuted, he is defended. If he is fined, his fine is paid. His place is a rendezvous for the idle, the vicious and the criminal—a hotbed for the breeding of vice and crime. In time of civic excitement or social disorder arson and murder issue from it like beasts from a lair. This is the experience and this the testimony of every city that has become the victim of the mob or whose laws have been defied by riot.

Those in control of these places are concerned about nothing but profits and increased revenue. To obtain these they multiply saloons, plant them in residential districts, and establish them in communities where saloons otherwise would not go. For years they have stood for and have countenanced anything that would promote the sale and consumption of their product, lawful or unlawful.

The aggression and the intolerance of the traffic, coupled with its utter disregard of law, led the Sixty-fourth General Assembly to enact a law giving to the majority of the legal voters of any township or city ward the power, by remonstrance filed with the board of county commissioners, to exclude the traffic from such territory for a period of two years.

Under the provisions of this law the traffic has been excluded, in three and one-half years, from 830 of the 1,016 townships in the State; from many city wards; from a number of cities, and from 25 entire counties. More than 1,600,000 people now live in territory where there is no

licensed saloon. But this territory is constantly invaded by the traffic and a constant warfare against it is necessary for its exclusion. This statute was enacted without submission to the vote of the people, but its effects have been so beneficent and the good accomplished under it has been so great that the people of the State are unwilling to see it repealed, modified or weakened. So strong is the sentiment in its behalf that both the great parties in the State are pledged to maintain it inviolate. And the desire of the people for the further restriction of the traffic is so sincere, so widespread, so manifest and insistent that both parties have promised additional and supplemental legislation.

Two methods are suggested. One, a township and ward election, where the people of the township or ward may vote for or against the traffic. The other, a county election, where the people of each county may vote for or against it. Between these two propositions both the temperance people and the liquor interests of the State have made quick and decisive choice.

The first method would add nothing to the present statute. The unit would be precisely the same as that covered by the present remonstrance law. It would not be a step for the further restriction of the traffic, but a step toward the weakening of the present restraint. In practice, it would greatly impair if not effectually destroy the remonstrance law. Operating over the same territorial unit, conflict would ensue and the remonstrance law would be supplanted. The township or ward covers too small a territory to be an effective unit. No township or city ward can single-handed protect itself from the ravages and evils of the traffic so long as it is permitted in the townships and wards surrounding it. A great majority of the citizens of a county or a city may be opposed to the traffic, but while a single township or city ward favors it, though by a majority of but one legal voter, the county or the city must tolerate it, must suffer in silence without redress, denied a voice or even a hearing concerning it. Thus the will of the people is made ineffectual, their purpose impotent. A city

ward or township is not a substantial governmental unit. They have no officers qualified or empowered to enforce the laws of the State relating to the traffic. The expense of criminal prosecutions for crimes committed in the township or ward is not borne by such township or ward alone, but by the county as a whole. The evil effects of the traffic can not be confined to their boundaries, but reach all the people of the county. Township or ward local option by election is a kind of home rule but little better than that which would follow if the unit were a precinct, a city block, a single flat in a city, or the house of a single family. Carried to its last analysis, it localizes the option to the individual conscience of each citizen and takes away all right of society as represented in the majority to have a voice in the matter. It is not government by majority, but government by the minority. It is not the rule of the people, but the rule of the few.

The county is a well recognized and long established unit of government. It has officers and courts and the machinery by which the law of the State can be enforced. The people of this unit all share the cost of criminal prosecutions for crimes committed within it. The traffic's evil effects can more nearly be confined to its borders.

The difference between the two methods is emphasized and accentuated by the character of those who support them. Good men may be back of the township and ward unit, but back of it are also the allied liquor interests of the State, organized as a single unit. Every brewer, every distiller, every saloon-keeper, the keeper of every brothel and of every unlawful resort, and every allied interest that can be reached, individual or corporate, are supporting it, and they are not half-hearted in their support of it as against county option. They are desperately in earnest. They are here and will be here throughout this session, active, dominant, arrogant, intimidating and corrupting, prepared to defeat county option at any cost or by any means within their power. They seek through you to take over unto themselves the enactment of law. They are reaching

for the reins of government, everywhere and in every department, that they may administer it in their own behalf.

On the other side are the great body of our people, the many, the masses, unorganized, without celerity of movement or corrupting power. They are for county local option. They plead their cause in the open. The ministry of the State of all denominations; teachers, lawyers, doctors, manufacturers, farmers; the moral forces of the commonwealth, represented by the Christian church and religious societies; the great rank and file; the multitude whose government this is, whose commissions you hold, whose representatives you are. Thousands of them are here and will be here to urge their claim upon you.

The brewery, the distillery, the saloon, the brothel, on one side! The church, the school, the home, on the other!

County option is in harmony with the spirit of our institutions. It is in accord with the basic principle of American government. It meets the requirement of the Great Declaration that "Governments shall derive their just powers from the consent of the governed."

How can a man who enjoys the blessings of free popular government and who professes to believe in democratic institutions where the people themselves, by majority, exercise the right to rule, consistently deny to the people of the several counties of this commonwealth the right to exclude this traffic from their midst, if they so desire? How can a man who values political freedom for himself deny to the three millions of people in Indiana who desire to be heard upon this question the exercise of a right so fundamental? How can a man who believes in the right of the majority to decide questions of tariff schedules and monetary ratios refuse to submit this question to the forum of a free people, or withhold from his fellow-citizens a free-man's right to vote upon it?

I reiterate my belief that it is both expedient and right to enact this legislation now. If it is right to enact it next

January, it is right to enact it in September. Therefore, I recommend to you and urge upon your favorable consideration the enactment of a local option law with the county as a unit, giving to the people the right to vote by counties upon the question, and so drawn as to preserve the present remonstrance law. In this I voice the thought and express the conscience and the purpose of the people whose servants we are. If your enactment shall voice their thought and express their purpose, you may justly claim their approval. You will thereby place the State where the intelligence, the conscience and the character of its citizens entitle it to stand. If you fail, you will have to account to them, for soon or late they will have their way upon this great question. In this neither the majority nor the minority can escape responsibility. As individuals and as representatives of the people, your responsibility is the same, whether you are of the majority or of the minority. Right is right, and he who opposes it cannot long find safe refuge behind the barricades of party.

The General Assembly is now in session. You constitute it. You have the power to legislate. The people know you have the power. They will not be satisfied with postponement or delay. They expect to act upon this question before you adjourn.

These are the reasons that impelled me to convene you in special session. In presenting them to you I do but discharge the duty imposed upon me by the Constitution. I am conscious that all of you do not agree with all I have submitted, and that some of you may not agree with any part of it. That is your right. And that right I respect. But I bespeak for what I have submitted the careful and candid consideration which its importance entitles it to receive, and which may be justly claimed for the views of an earnest and sincere man, who shares your responsibility and who has thought much and long upon the questions involved.

Permit me, in conclusion, to express the hope that the

business of the session may be promptly dispatched, and that your labors may be signalized by loftiness of purpose and patriotic devotion to the public welfare.

Respectfully submitted,

J. FRANK HANLY,

Governor of the State of Indiana.

The business for which the join session had been assembled being concluded, the Lieutenant-Governor declared the joint session adjourned without day.

The Senate reassembled in the Senate chamber with Lieutenant-Governor Miller in the chair at 11:30 a. m.

Senator Cavins moved that Senate do now adjourn.

Which motion prevailed.

SATURDAY MORNING.

September 19, 1908.

The Senate convened at 10 o'clock a. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by Rev. Mathew Small, of Indianapolis.

The Journal of Friday, September 18, was ordered read.

The Journal was being read when, upon motion of Senator Durre, further reading of the same was dispensed with.

Senator Parks, of Marshall, submitted a petition of 500 citizens of Marshall county for the passage of the county

unit local option bill; also a petition signed by 400 citizens of Marshall county for the passage of the same bill.

The President informed the Senate that three newly elected Senators to fill three vacancies were present and ready to take the oath of office.

They were:

Senator L. D. Boyd, of Delphi, to succeed Senator John C. Farber, deceased, who represented the counties of Clinton and Carroll.

Senator Samuel Benz, of English, to succeed his father, Senator John Benz, of Leavenworth, deceased, who represented the district of Dubois, Crawford and Perry counties.

Senator A. J. Law, of Morocco, to succeed Senator Richard C. McCain, of Kentland, resigned, who represented the district of Jasper, Newton and White counties.

The new Senators were called to the bar of the Senate and the oath of office was administered by Hon. Leander J. Monks, judge of the Supreme Court. The new Senators were assigned to seats formerly occupied by their predecessors.

Senator Roemler offered the following motion:

MR. PRESIDENT:

I move that when the Senate adjourns, it adjourn to meet on Monday, September 21st, at 2 p. m.

Which motion prevailed.

The President announced the appointment of the following Committee on Mileage:

Senators Kling, Moore of Fayette, and Ranke.

Senator Moore of Fayette offered Senate Resolution No. 8, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the Secretary of the Senate be directed to purchase stamps necessary for the use of the Senate and keep accurate account of same.

Which resolution was adopted.

President Miller ordered the call of the roll for the introduction of new bills.

Senator Bowser introduced Senate Bill No. 547, entitled:

A bill for an act to legalize the incorporation of the town of Munster, and all acts and ordinances of the board of trustees of said town.

The bill was read a first time by title and referred to the Committee on Judiciary A.

Senator Cox introduced Senate Bill No. 548, entitled:

A bill for an act entitled "An act to better regulate, restrict and prohibit the sale of intoxicating liquors and providing for local option elections."

The bill was read the first time by title and referred to the Committee on Public Morals.

Senator Hawkins introduced Senate Bill No. 549, entitled:

A bill for an act to repeal "An act to amend sections 70 and 75 of an act entitled an act concerning highways, approved March 8, 1905," approved February 25, 1907.

The bill was read a first time by title and referred to the Committee on Roads.

Senator Kimbrough introduced Senate Bill No. 550, entitled:

A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officers, defin-

ing their powers, and appropriating money for the compensation and expense of such officers, and to protect the tobacco growing industry of Indiana, and declaring an emergency.

The bill was read the first time by title and referred to the Committee on Finance.

Senator Kimbrough introduced Senate Bill No. 551, entitled:

A bill for an act entitled an act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco, or the interference with the growing thereof, and declaring an emergency.

The bill was read the first time by title and referred to the Committee on Agriculture.

Senator Kirkman introduced Senate Bill No. 552, entitled:

A bill for an act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Women's Prison, the Indiana Reformatory, and declaring an emergency.

The bill was read a first time by title and referred to the Committee on Finance.

Senator Kittinger introduced Senate Bill No. 553, entitled:

A bill for an act in relation to salaries of city officers in cities of the third, fourth and fifth classes, repealing all laws in conflict herewith, and declaring an emergency.

The bill was read a first time by title and referred to the Committee on Cities and Towns.

Senator Kittinger introduced Senate Bill No. 554, entitled:

A bill for an act to amend sections 215, 218, 219 and 220 of an act entitled "An act concerning municipal cor-

porations, approved March 6, 1905," and declaring an emergency.

The bill was read the first time by title and referred to the Committee on Cities and Towns.

Senator McCallum introduced Senate Bill No. 555, entitled:

A bill for an act entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the Southeastern Hospital for the Insane, and Pulse and Porter, contractors, and making an additional appropriation to complete such hospital.

The bill was read the first time by title and referred to the Committee on Finance.

Senator Mattingly introduced Senate Bill No. 556, entitled:

A bill for an act for the further regulation, restriction and control of the liquor traffic, repealing all conflicting laws and supplementing existing laws not in conflict herewith, and declaring an emergency.

The bill was read the first time by title and referred to the Committee on Public Morals.

Senator Moore, of Putnam, introduced Senate Bill No. 557, entitled:

A bill for an act entitled an act relative to appropriations heretofore and hereafter made and the reversion of unexpended balances to the State Treasury at the close of each fiscal year.

The bill was read the first time by title and referred to Committee on Finance.

Senator Moss introduced Senate Bill No. 558, entitled:

A bill for an act to amend section 2 of an act entitled "An act concerning coal mines," etc., and declaring an emergency.

The bill was read a first time by title and referred to the Committee on Mines and Mining.

Senator Kittinger introduced Senate Bill No. 559, entitled:

A bill for an act to amend sections 2 and 13 of an act entitled "An act to amend sections 2, 5, 7, 10 and 13 of an act entitled 'An act to regulate the speed, operation and registration of locomobiles, automobiles, motorcycles, and other motor vehicles upon public highways, and providing penalties,' " approved March 12, 1907.

The bill was read a first time by title and referred to the Committee on Criminal Code.

Senators Mattingly, Kling and Tyndall, the committee appointed to report resolutions in memory of the late Senator Farber, reported as follows:

We your committee appointed to prepare resolutions of respect to the memory of John C. Farber, beg leave to report as follows:

Whereas, It has been the will of Divine Providence that our former colleague, Hon. John C. Farber, late member of this Senate from the counties of Carroll and Clinton, should be called from our midst; and,

Whereas, The members of the Sixty-fifth General Assembly have lost a valued coworker, the citizens of the entire State of Indiana a high-minded, patriotic and conscientious public servant, the bar one of its most learned and brilliant members, and his family a devoted and affectionate husband and father; therefore, be it

Resolved, first, That we deeply mourn the great loss which his family, the State and the Senate have sustained in his untimely death, and with his afflicted family we share the inexpressible sorrow which came to them in this heavy bereavement;

Resolved, further, That his death is a public calamity in which the State has been deprived of one of its most

able and skillful lawyers, and the citizenship of the county where he resided of a noble example of exalted public and private life;

Resolved, further, That as a testimonial of our grief over the public and private misfortune of his death, that these resolutions be adopted by the Senate now in session, and spread upon its record, and that a copy be engrossed and that the Secretary be instructed to send a certified copy of the same to the widow of our deceased friend.

MATTINGLY,
KLING,
TYNDALL.

Speaking upon the report, Senator Cavins took the floor and informed the Senate that he had attended the funeral of the late Senator at his home in Frankfort and had witnessed that it was attended by a great multitude of people, who gave every evidence of sorrow at the loss their city had sustained. He reported that the minister who officiated at the simple services bore sympathetic testimony to the high character and warm esteem in which the deceased Senator was held.

Senator Boyd, the newly-elected successor of Senator Farber, paid a brief but feeling tribute to the splendid character of Senator Farber.

Senator Slack offered a tribute in eulogy of the deceased Senator.

A tribute to his memory was also offered by Senators Parks of Marshall, Moore of Putnam and Mattingly of Daviess and Pike.

The report of the committee was concurred in.

The resolutions were unanimously adopted, and ordered spread of record in the Journal of the Senate.

Senators Stotsenburg, Mock and Slack, who were appointed a committee to report a memorial to the late Senator Benz, offered the following:

MR. PRESIDENT:

Your special committee heretofore appointed to prepare and report to the Senate a suitable memorial to the life and services of the late Hon. John Benz, submits the following:

Since the adjournment of the Senate of the Sixty-fifth General Assembly, death has called away from the active labors of this life Senator John Benz of Leavenworth, Crawford County, Indiana. Senator Benz died on the 23rd day of April, 1908, at his home in Leavenworth.

Your committee would offer this tribute to his memory in order that his public life and services to the State may be perpetuated on the permanent records of this body:

Senator John Benz was born in Roetherbach, Germany, in the year 1834. He came to this country when he was eighteen years old, and for a short time lived in Louisville, Kentucky. Shortly afterward he moved to Leavenworth, Crawford County, Indiana, at which place he continued to reside until the time of his death. There for many years he engaged in the mercantile business. He was a member of the Lutheran Church and was a consistent and active Christian.

Senator Benz, while not a politician in the usual acceptance of the term, was frequently honored by the people of his own community.

Recognizing his rugged honesty and unflinching loyalty to duty, they demanded that he give much of his time to the public service.

He was County Coroner of Crawford County for several terms, and frequently served as school trustee of his home town.

He represented Crawford County in the House of Representatives in the session of 1877; and he served in the Senate during the sessions of 1879, 1881, 1883, 1885, 1905 and 1907. Senator Benz was a life-long Democrat, and as such he rendered distinguished and efficient services to his constituency, his party and his State. In the performance of his public duties he was always alert. His whole time was given to them. Whenever the Senate was in session he was always in his seat, ready to act, and to every roll call he was ready to respond. Rancor was not a part of his nature.

Everyone who came in contact with him recognized his natural worth and was ready to favor and honor him.

In his death this Senate and the State of Indiana has lost a valuable, efficient and industrious servant.

We request that as a mark of respect this memorial be spread on the records of this Senate and that the Secretary be directed to send a properly engrossed copy hereof to the family of Senator Benz.

STOTSENBURG,
MOCK,
SLACK.

Senator Stotsenburg spoke at some length, offering a tribute of his personal appreciation of the life and character of the late Senator Benz.

Senator Ganiard offered a tribute of respect and esteem for the sterling qualities shown by Senator Benz in his long service in the House and Senate.

Senator Slack made a few remarks in token of his love and veneration for the character and fidelity shown by Senator Benz in the performance of his public duties.

The report of the committee was concurred in.

The resolutions were unanimously adopted and were ordered spread of record in the Journal of the Senate.

President Miller, before proceeding to the next order of business, took occasion again to express his admiration and esteem for the deceased Senators, with whom he had been associated in the Senate.

Senator Roemler offered the following motion :

MR. PRESIDENT :

I move that 200 copies of each of Senate Bills Nos. 548 and 556 be ordered printed at once and that two copies of each of such bills be laid on the desks of the Senators by Monday, September 21, 1908.

ROEMLER.

Which motion prevailed, and the Principal Secretary was instructed to execute the order of the Senate.

Upon motion of Senator Springer, the Senate adjourned.

MONDAY AFTERNOON.

September 21, 1908

The Senate convened at 2 o'clock p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. Neil McPherson of Tabernacle Presbyterian Church, Indianapolis.

The Journal of Saturday, September 19th, was ordered read.

The Journal was being read when, upon motion of Senator Pearson, further reading of the same was dispensed with.

Senator Mock, chairman of the Committee on Public Morals, announced a meeting of that committee in Room No. 83 immediately.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that the Senate take a recess until 2:30 p. m.

Which motion prevailed.

The Senate reconvened at 2:30 o'clock p. m., Lieutenant-Governor Miller in the chair.

The President of the Senate ordered a roll call for the introduction of resolutions, petitions and memorials.

Senator Orndorf offered a petition signed by O. A. Trabue and W. H. Tolliver and one hundred and seventy-five other citizens of Columbia City, Whitley County, in favor of county local option.

The petition was read and referred to the Committee on Public Morals.

Senator Goodwine offered a petition signed by J. F. Hetrick, R. E. Hellwig, N. G. Beard and four other citizens of State Line, Indiana, in favor of the passage of a county local option bill, which petition was referred to the Committee on Public Morals.

Senator Hawkins offered a petition, signed by Joseph A. Long, J. E. Clark, Omer S. Whiteman and 105 others, citizens of Portland, Indiana, and vicinity, in favor of the passage of a county local option bill, which petition was referred to the Committee on Public Morals.

The President of the Senate handed down the following communication:

To the General Assembly of the State of Indiana, now convened in special session:

Western Yearly Meeting of Friends Church, consisting of a membership of sixteen thousand, assembled in annual

session at Plainfield, Indiana, ninth month, 21st, 1908, beg leave to submit to your honorable body the following:

Whereas, The Friends Church has long maintained a consistent testimony in favor of the destruction of the traffic of intoxicating liquors; therefore,

Resolved, That we reiterate our former declaration that there can be no complete solution of the liquor problem short of the complete constitutional and statutory prohibition thereof, both state and national, and that we shall labor to that end until victory is obtained.

Resolved, further, That we gladly accept any partial relief in the direction of prohibition that we can secure, and to this end we commend the efforts of our beloved Governor Hanly and others to secure the passage of a county local option bill by the present special session of the Indiana Legislature, and ask all patriotic members thereof to aid in the passage of such measure.

THOS. C. BROWN,
Presiding Clerk, Western Yearly Meeting Friends Church.

Which petition was read in full and referred to the Committee on Public Morals.

The President of the Senate handed down the following telegram:

Shelbyville, Ind., Sept. 19.

THE PRESIDENT AND SENATE OF THE GENERAL ASSEMBLY OF
INDIANA, Indianapolis, Ind.:

The Indiana Conference of the Methodist Episcopal Church, representing a membership of nearly one hundred thousand and a congregational constituency of three hundred thousand, thereby, in the interest of public morals, urges your honorable body to pass the county local option law as indicated in the message of Governor Hanly to the General Assembly yesterday.

R. A. KEMP,
Secretary.

11:02 a. m.

The petition was read and referred to the Committee on Public Morals.

Senator Hugg asked for leave of absence on account of illness for Senator Koehne, which was granted.

Senator Roemler offered Senate Resolution No. 9, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the Governor be requested to furnish at his earliest convenience to the Finance and Agriculture Committees of the Senate, and to the Senate, all documents and information in his possession relative to "Night Rider" situation.

ROEMLER.

Which resolution was adopted.

The Committee on Mileage submitted the following report:

MR. PRESIDENT:

Your committee appointed to report on the mileage of each Senator begs leave to submit the following report:

Senators Beardsley 310 miles, Benz 350, Bingham 320, Bland 190, Bowser 376, Cavins 146, Crumpacker 312, Durre 364, Boyd 144, Forkner 88, Ganiard 420, Gonnermann 404, Goodwine 178, Hanna 96, Hawkins 166, Kimbrough 114, Kirkman 140, Kistler 160, Kittinger 74, Kling 150, Lane 58, McCallum 124, Law 296, McDowell 240, Mattingly 224, Mock 80, Moore of Fayette 116, Moore of Putnam 80, Moss 132, Orndorf 270, Parks of Clark 216, Parks of Marshall 244, Patterson 240, Pearson 300, Pelzer 408, Ranke 272, Shafer 130, Slack 50, Springer 96, Stephenson 196, Stotsen-

burg 230, Strange 140, Tyndall 280, Wickwire 360, Wood of Jackson 120, Wood of Tippecanoe 128.

KLING,
MOORE of Fayette,
RANKE.

Which report was concurred in.

Senator Goodwine introduced Senate Bill No. 560, entitled:

A bill for an act to provide for the custody and preservation of all the battle flags and regimental flags carried by any organization of Indiana soldiers in the Civil War of 1861-65, the Mexican War and the Spanish-American War, and the purchase of cases for such flags and designating a place in the State House for such cases and flags and placing the same in charge of the custodian of the State House building, appropriating \$12,000 for mounting the flags and the purchase of cases for such flags, and providing for a board to be appointed by the Governor to expend said money, repealing all laws or parts of laws in conflict with this act and declaring an emergency.

Which bill was read the first time by title and referred to the Committee on Finance.

Senator Roemler made the following motion:

I move that the Senate take a recess until 3:10 p. m.

Which motion prevailed.

The Senate reconvened at 3:10 o'clock, Lieutenant-Governor Miller in the chair.

Senator Moore of Putnam offered the following communication:

Indianapolis, Ind., Sept. 21, 1903.

HON. THOMAS T. MOORE, Indianapolis, Indiana:

Dear Senator—We, a committee representing the Business Men's Bible Class of the Central Avenue M. E.

Church, whose enrollment is now 679, urge you to vote for the county local option bill now before the legislature.

We urge this for two reasons, viz.: First, it is a temperance and moral measure. Second, it refers the question to the people. If your people are for temperance it allows them the privilege of expression. If they are not in favor of temperance, this only allows them the same privilege.

Yours truly,

A. B. CORNELIUS,
H. W. RIDPATH,
W. B. ROBINSON,
OTWAY A. BAKER.

Which communication was referred to the Committee on Public Morals.

A majority of the Committee on Public Morals submitted the following report:

We, the majority of your Committee on Public Morals, to which was referred Senate Bill No. 548, beg leave to report the same back to you with the following amendments:

In section 7, line 8, after the word "commissioners" insert the words "or any court."

In section 9, line 3, strike out the word "thirty" and insert in lieu thereof the word "ninety."

In the same section, line 9, strike out the word "forty" and insert in lieu thereof the word "ninety."

Strike out all of section 11.

At the close of section 13, add the following: "This act shall be liberally construed to promote the purposes of its enactment."

And that said bill as thus amended do pass.

MOCK,
SPRINGER,
GANIARD,
MOORE of Putnam,
MATTINGLY.

A minority of the Committee on Public Morals submitted the following report:

MR. PRESIDENT:

The undersigned members of the Committee on Public Morals beg leave to submit the following minority report:

We recommend that this Senate Bill No. 548 be indefinitely postponed for the reason that we believe that the question of local option is now before the voters of the State for consideration, and regardless of our individual views, which may be for or against the same, should be left to the people.

MOSS,
BINGHAM.

The question being upon the adoption of the minority report.

Senators Slack and Wood of Jackson demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Benz, Bingham, Kistler, McDowell, Moss, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Tyndall, Wood of Jackson, and Law. Total, 14.

Those voting in the negative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman,

Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire and Wood of Tippecanoe. Total, 35.

So the minority report was not concurred in.

The question being upon the adoption of the majority report.

The majority report was concurred in.

A majority of the Committee on Public Morals submitted the following report:

We, the majority of the Committee on Public Morals, to which was referred Senate Bill No. 556, beg leave to report as follows:

1. By striking out of line 4, Sec. 1, the words "Twenty percent" and inserting the words "Three hundred."

By adding after the word "Law" after line 37 in Sec. 1, the words "for general elections."

2. By striking out the word "30" in line 55 in Sec. 1, and inserting in lieu thereof the word "ninety."

3. By adding after the word "number" in line 18, Sec. 2, "or rural route."

4. By striking out all of Section 2, from the word "at" in line 19, to the word "therein" in line 31, each inclusive.

5. By striking out the word "so" in line 32, Sec. 2, and inserting in lieu thereof the word "when"; and by adding after the word "verified" in said line 32, the words "by one or more of the signers thereof."

6. By striking out of line 36 the words "he does not know to be" and inserting in lieu thereof the words "are not."

7. By striking out of line 5 in Section 4 the word "thirty" and inserting in lieu thereof the word "ninety,"

and by striking out of line 11 of said section the word "thirty" and inserting in lieu thereof the word "ninety."

8. By striking out of lines 3 of Sec. 6 the word "thirty" and inserting in lieu thereof the word "ninety."

9. By striking out all of Sec. 7 thereof.

10. By renumbering the sections of said bill from and after said section, as follows: Sec. 8 as Sec. 7. Sec. 9 as Sec. 8. Sec. 10 as Sec. 9. Sec. 11 as Sec. 10. Sec. 12 as Sec. 11. Sec. 13 as Sec. 12. Sec. 14 as Sec. 13. Sec. 15 as Sec. 14 and Sec. 16 as Sec. 15.

And when so amended, we recommend that said bill do pass.

All references to lines and sections refer to the printed bill.

MOSS,
MATTINGLY,
GANIARD,
SPRINGER,
MOORE of Putnam.

A minority of the Committee on Public Morals submitted the following report:

MR. PRESIDENT:

We recommend that this Senate Bill No. 556 be indefinitely postponed, for the reason that we believe that the question of local option is now before the voters of the State for consideration, and regardless of our individual views, which may be for or against the same, should be left to the people.

MOSS,
BINGHAM.

The question being upon the adoption of the minority report.

Senators Slack and Kistler demanded the yeas and noes.

The roll was called.

Those voting in the affirmative were:

Senators Benz, Bingham, Kistler, McDowell, Moss, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Tyndall, Wood of Jackson, Law. Total, 14.

Those voting in the negative were:

Senator Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire, Wood of Tippecanoe. Total, 35.

So the minority report was not concurred in.

The question being upon the adoption of the majority report.

The report was concurred in.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that each of the majority reports of the committee on Senate Bills Nos. 548 and 556 be printed and laid on the desks of the Senators.

Which motion prevailed.

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that Senate Bills Nos. 548 and 556 be read a second time by title and engrossed, together with the amendments thereto.

GOODWINE.

Which motion prevailed.

Senate Bill No. 548, entitled:

A bill for an act entitled "An act to better regulate, restrict and prohibit the sale of intoxicating liquors and providing for local option elections."

Was read a second time by title.

The question being upon the adoption of the amendments recommended by the committee.

It was agreed to.

The question being upon the engrossment of the bill as amended.

It was so ordered.

Senate Bill No. 556, entitled:

A bill for an "Act for the further regulation, restriction and control of the liquor traffic, repealing all conflicting laws and supplementing existing laws not in conflict herewith, and declaring an emergency."

Was read a second time by title.

The question being upon the adoption of the amendments recommended by the committee.

It was agreed to.

The question being upon the engrossment of the bill.

It was so ordered.

Upon motion of Senator Springer, the Senate adjourned until 10 o'clock a. m., Tuesday, Sept. 22, 1908.

TUESDAY MORNING.

September 22, 1908.

The Senate convened at 10 o'clock a. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by Rabbi Morris M. Feuerlicht of the Indianapolis Hebrew Congregation.

The Journal of Monday, September 21st, was ordered read.

The Journal was being read when, upon motion of Senator Strange, further reading of the same was dispensed with.

The President of the Senate ordered a roll call for the introduction of resolutions, petitions and memorials.

Senator Cox offered letters favoring county local option, signed by W. H. Wylie, W. D. Oaker, L. A. Robertson, Jesse C. Moore, William Allen Moore.

Which communications were referred to Committee on Public Morals.

Senator Cox offered a copy of resolutions adopted by the Tabernacle Presbyterian Brotherhood of Indianapolis favoring county local option legislation, which resolutions were signed by the president, secretary and thirty-three members.

The resolutions were referred to the Committee on Public Morals.

Senator Cox offered a copy of resolutions adopted by the East Washington Street Presbyterian Brotherhood of Indianapolis favoring county local option legislation, which resolutions were signed by the president and secretary pro tem.

The resolutions were referred to the Committee on Public Morals.

Senator Cox offered a copy of resolutions adopted by the Seventh Presbyterian Brotherhood of Indianapolis, favoring county local option legislation, which resolutions were signed by the president, secretary pro tem.

The resolutions were referred to the Committee on Public Morals.

Senator Cox offered a copy of resolutions adopted by the Sixth Presbyterian Brotherhood of Indianapolis, favoring county local option legislation, which resolutions were signed by the president, secretary and 17 members.

The resolutions were referred to the Committee on Public Morals.

Senator Cox offered copy of resolutions adopted by the Home Presbyterian Brotherhood of Indianapolis, signed by O. L. Hastings, President, John B. Gittner, Secretary, and 17 members.

Which was referred to the Committee on Public Morals.

Senator Cox offered copy of resolutions adopted by the Irvington Presbyterian Brotherhood of Indianapolis, signed by S. L. Potter, President, C. P. Aten, Secretary, and 11 members.

Which was referred to the Committee on Public Morals.

Senator Cox offered copy of resolutions adopted by the Grace Presbyterian Brotherhood of Indianapolis, favoring county local option legislation, signed by C. A. Foreman, President, and 19 members.

Which was referred to the Committee on Public Morals.

Senator Cox presented cards signed by 169 voters of Marion County requesting him to vote for a county local option law.

Referred to Committee on Public Morals.

Senator Hawkins offered a communication from Thos. C. Brown, clerk of the Western Yearly meeting of Friends Church, urging the passage of a bill favoring state-wide prohibition.

The communication was referred to the Committee on Public Morals.

Senator Kimbrough offered a telegram from the Woman's Club of Muncie, Indiana, the second oldest woman's club in the State, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kimbrough offered a letter from C. E. Hunt, a United Brethren minister representing churches located at Cowan, Mount Pleasant and Corinth, near Muncie, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kling offered copy of a petition from Miami County, signed by George Taylor, A. C. Burns and nine others, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kling submitted a petition signed by 45 citizens of Bunker Hill, Indiana, praying for county local option.

Which petition was referred to the Committee on Public Morals.

Senator Kling offered copy of a petition from Miami County, signed by J. F. Bake, J. F. Lutey, Grant Moore and 29 others, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kling submitted a petition signed by 19 citizens of Miami County, favoring county local option.

The petition was referred to the Committee on Public Morals.

Senator Mock offered a resolution adopted by the Jefferson Township Sunday School Convention favoring county local option, signed by A. F. Clark, president.

Which resolution was referred to the Committee on Public Morals.

Senator Moore of Fayette submitted a petition from the officers of the Glenwood Temperance Union, urging him to support the county local option bill.

The petition was referred to the Committee on Public Morals.

Senator Roemler offered copies of resolutions adopted by the Home, the Sixth, the Grace, the Tabernacle and the Irvington Presbyterian Brotherhoods of Indianapolis, signed by officers and members, favoring county local option legislation.

Which were referred to the Committee on Public Morals.

Senator Strange offered a petition signed by 141 citizens of Grant County, favoring county local option.

Which petition was referred to Committee on Public Morals.

The President handed down a petition signed by the entire faculty of DePauw University in favor of county local option.

Which petition was referred to Committee on Public Morals.

Senator Bland introduced Senate Bill No. 561, entitled:

A bill for an act entitled an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines and matters connected therewith and providing penalties and repealing all laws in conflict therewith," approved March 9, 1907.

The bill was read by title the first time and referred to the Committee on Mines and Mining.

Senator Wickwire made a motion that the Senate adjourn.

Senators Kistler, Wood of Jackson, Stotsenburg, Tyndall and Slack demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Strange, Wickwire, Wood of Tippecanoe. Total, 35.

Those voting in the negative were:

Senators Benz, Bingham, Kistler, McDowell, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stephenson, Stotsenburg, Tyndall, Wood of Jackson. Total, 14.

So the motion prevailed.

And the Senate adjourned.

TUESDAY AFTERNOON.

September 22, 1908.

The Senate reconvened at 2 o'clock p. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Durre made a motion that Senator Bland file the petition of his constituents requesting the repeal of his iniquitous squirrel bill.

Which motion prevailed.

Senator Bland submitted a petition signed by 37 voters of Greene, Owen and Monroe counties, praying for an amendment to Sec. 608, acts 1905, on page 730, by inserting the words "squirrels and rabbits" right before the words "wild duck" therein.

The petition was referred to the Committee on Rights and Privileges.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 722, entitled a bill for an act to appropriate \$40,000.00 to defray the expenses of the special session of the Sixty-fifth General Assembly, and declaring an emergency.

Also, House Bill No. 725, entitled a bill for an act to legalize the incorporation of the town of Munster, Lake County, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Concurrent Resolution memorializing Congress to make the necessary appropriation for the survey and construction of a ship canal connecting Lake Erie and Lake Michigan by way of Fort Wayne, following the route of the Maumee River, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

Senator Cavins presented a petition signed by 252 citizens of Vigo County in favor of county local option.

Which petition was referred to the Committee on Public Morals.

Senator Pearson presented a telegram from Loogootee Taft Club in favor of county local option.

Which communication was referred to Committee on Public Morals.

Senator Moore of Putnam offered a petition from the Gideons, a commercial Christian traveling men's association, 2,800 members, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kimbrough offered a petition from Delaware County, signed by Cassius M. Carter, Charles Saunders, Hubert Abbot and 908 others, with the exception of 75 or 100, all from outside of Muncie, favoring county local option legislation.

Which petition was referred to the Committee on Public Morals.

Senator Kirkman submitted a resolution made by the Young Men's Christian Association of Richmond, Indiana, signed by A. W. Hempleman, favoring county local option.

The resolution was referred to the Committee on Public Morals.

Senator McCallum submitted two petitions, one signed by 99 voters of Switzerland County, and one signed by 114 voters of Vevay and citizens, urging the passage of the county local option bill.

Which petitions were referred to the Committee on Public Morals.

Senator Forkner made the following motion.

MR. PRESIDENT:

I move that the Senate take a recess until 4 p. m.

Which motion prevailed.

The Senate reconvened at 4 o'clock p. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 548 be made a special order for 10 a. m., September 23, 1908.

ROEMLER.

Which motion prevailed.

Senator Springer made the following motion:

MR. PRESIDENT:

I move that the Senate do now adjourn.

SPRINGER.

Senators Wood of Jackson, Slack, Stotsenburg, Parks of Clark and Tyndall demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senator Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire and Wood of Tippecanoe. Total, 34.

Those voting in the negative were:

Senators Benz, Bingham, McDowell, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Tyndall, Wood of Jackson, and Law. Total, 12.

So the motion prevailed and the Senate adjourned.

WEDNESDAY MORNING.

September 23, 1908.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. Geo. D. Wolfe of Fletcher Place M. E. Church, Indianapolis.

The Journal of Tuesday, September 22, 1908, was ordered read.

The Journal was being read when, upon motion of Senator Kling, further reading of the same was dispensed with.

Senator Slack offered copy of resolutions adopted by the Woman's Christian Temperance Union of Franklin, Indiana, favoring a state constitutional amendment prohib-

iting the manufacture and sale of intoxicating liquors in the State of Indiana as a protection to the people; in the meantime that this General Assembly enact, at the pending special session, a resolution to that effect to be referred to the next General Assembly.

Which communication was referred to the Committee on Public Morals.

Senator Strange submitted a petition from the faculty of Fairmount Academy, urging the passage of the local option bill.

Which petition was referred to the Committee on Public Morals.

Senator Strange submitted a petition, signed by H. S. Wickerson and nine other voters of Grant County, Indiana, favoring the passage of the county local option bill.

The petition was referred to the Committee on Public Morals.

Senator Strange offered a petition from the women of Grant County, Indiana, signed by Harriet Armstrong, Helen Weston, Eva Dale and 97 others, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Kittinger offered a petition from the Madison County Civic League, signed by E. W. Longnecker, President, and Carlos M. Dinsmore, Secretary, favoring county local option legislation.

Which was referred to the Committee on Public Morals.

Senator Boyd submitted a petition signed by Wm. T. Johnson and seventeen citizens of Burlington, Indiana, favoring the passage of the county local option bill.

The petition was referred to the Committee on Public Morals.

Senator Boyd submitted a petition signed by fifty-five citizens of Flora, Indiana, favoring the passage of the county local option bill.

The petition was referred to the Committee on Public Morals.

The President handed down the following telegram:

Albion, Ind., Sept. 22.

THE PRESIDENT OF THE SENATE:

The Presbytery of Fort Wayne, in session at Albion, and representing thirty-one Presbyterian Churches in eleven counties, earnestly petitions our Senators and Representatives to vote for the passage of a county local option bill at this session.

REV. C. E. COMBRICK,
Stated Clerk.

Which telegram was referred to the Committee on Public Morals.

The President handed down a communication from W. L. Breckenridge, Stated Clerk of Crawfordsville Presbytery, urging the passage of a county local option bill.

Which communication was referred to Committee on Public Morals.

The hour of 10 o'clock having arrived, which was the time fixed for the consideration of Engrossed Senate Bill No. 548, the same was taken up by the Senate:

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that a vote be taken at 1 o'clock p. m. on Senate Bill No. 548, unless debate on the bill is sooner terminated.

ROEMLER.

Which motion prevailed.

Engrossed Senate Bill No. 548, entitled:

A bill for an act entitled "An act to better regulate, restrict and prohibit the sale of intoxicating liquors and providing for local option elections."

Was read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Senator Kling made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows:

By inserting in section 1, line 3, after the word "filed" the words "with the county auditor."

Also in line 5 of said section, after the word "liquors," insert the words "as a beverage."

Also, in line 10 of said section, after the word "notice," insert the word "thereof"; and in the same line 10, strike out all of said line after the word "given" and strike out all of line 11; and in lieu thereof, insert the words, "in the same manner now provided by law for notice of general elections."

The references herein are to the printed copy of said engrossed bill.

KLING.

Which motion prevailed, and Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to

report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Boyd made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows:

By inserting after the word "liquors" in line 6, section 2, the words "as a beverage."

BOYD.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Bowser made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend as follows:

By striking out the words "two hundred or more legal voters," which appear at the end of line 3 and continue on line 4 of section 3, and inserting in lieu thereof the

words, "a number of the qualifie' electors of such county equal to not less than twenty per cent of the aggregate vote cast in such county for Secretary of State at the last general election."

Also, by inserting after the word "liquors" in line 9 of said section the words "as a beverage."

Also, by striking out the period after the word "provided" in line 13 of said section 3, and inserting in lieu thereof a comma, and decapitalizing the letter B in the word "But" immediately following said comma.

Also, by striking out the word "state" in line 13 of said section and inserting in lieu thereof the word "allege."

BOWSER.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was re-committed Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Cavins made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be re-committed to committee of one, its author, with instructions to amend the same as follows:

By inserting after the word "liquors" in line 3, section 4, the words "as a beverage."

Also, by inserting after the word "liquors" in line 7 of said section the words "as a beverage."

CAVINS.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Parks of Marshall made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows:

By inserting after the word "liquors" in line 4 of section 5 the words "as a beverage."

Also, by striking out of lines 9 and 10 of said section the words "within three days," and inserting in lieu thereof the words "on the day."

Also, by striking out of lines 10 and 11 of said section the words "and at a time fixed by the Board of Commissioners of such county," and insert in lieu thereof the words "at ten o'clock a. m."

PARKS of Marshall.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Mock made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend as follows:

By inserting after the word "liquors" in line 4 of section 6, the words "as a beverage."

MOCK.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Ganiard made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows:

By inserting after the word "liquors" in line 7 of section 7 the words "as a beverage";

Also by striking out of line 13 of said section 7 the word "and";

Also, by inserting after the word "county" in line 15 of said section 7 the words "voting at such subsequent election";

Also, by striking out the period after the word "liquors" in line 16 of said section 7, and adding the words "as a beverage."

GANIARD.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator McCallum made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows: By inserting after the words "majority of" in line 1, section 9, the word "the"; also, by inserting after the word "liquors" in line 2 of said section the words "as a beverage"; also, by striking out of lines 4 and 5 of said section the word "theretofore"; also, by inserting after the word "county" in line 5 of said section the words "after the passage of this act"; also, by inserting after the period in line 12 of said section the fol-

lowing words: "Provided, however, that no license issued prior to the passage of this act shall be terminated by virtue of this act or any vote thereunder."

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was re-committed Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Moore, of Fayette, made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be re-committed to a committee of one, its author, with instructions to amend the same as follows:

By inserting after the word "liquors" in line 3 of section 10 the words "as a beverage";

Also, by inserting after the word "commissioners" in line 6 of said section the words "or any city or town";

Also, by inserting after the word "district" in line 8 of said section the words "or to any person."

MOORE, of Fayette.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Strange made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same by renumbering section 12 so as to read section 11;

Also, by pluralizing the word "election" in line 6 of said section 11 as renumbered.

STRANGE.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly recommitted to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Bland made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with specific in-

structions to amend the same by renumbering section 13 so as to read "Sec. 12"; and, also,

By inserting after the word "amend" in line 2 of said section as renumbered a comma, and by striking out the word "or" immediately following said word "amend";

Also, by striking out the period after the word "liquor" in line 14 of said section as renumbered, and adding the words "but this act shall be deemed additional and supplemental thereto"; and by inserting a comma after said word "liquors" in said line 14.

BLAND.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Wickwire made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 548 be recommitted to a committee of one, its author, with instructions to amend the same as follows:

By inserting in line 15 of section 12 as renumbered, immediately preceding the words "This act," the word and figures "section 13."

WICKWIRE.

Which motion prevailed.

And Engrossed Senate Bill No. 548 was accordingly re-committed to Senator Cox, its author, with such specific instructions.

Senator Cox made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Senate Bill No. 548, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions. COX.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that the hour for voting on Engrossed Senate Bill No. 548 be changed from 1 p. m. to 3:45 p. m., unless debate be terminated sooner.

ROEMLER.

Which motion prevailed.

Upon motion of Senator Springer the Senate adjourned until 2 o'clock p. m.

WEDNESDAY AFTERNOON.

September 23, 1908.

The Senate convened at 2 o'clock p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The question before the Senate being the passage of Engrossed Senate Bill No. 548.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Forkner, Ganiard, Goodwine, Hanna, Haw-

kins, Kimbrough, Kirkman, Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire, Wood of Tippecanoe. Total, 32.

Those voting in the negative were:

Senators Benz, Bingham, Durre, Gonnermann, Hugg, Kistler, McDowell, Moss, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Tyndall, Wood of Jackson, Law. Total, 17.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

Senator Pearson made the following motion:

MR. PRESIDENT:

I move that the title of Engrossed Senate Bill No. 548 be amended by striking out the word "prohibit" and inserting in lieu thereof the word "control."

PEARSON.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

It was ordered that the Secretary inform the House of the passage of Engrossed Senate Bill No. 548, and transmit the same with Engrossed Senate Amendments thereto to that body for further action.

Upon motion of Senator Springer the Senate adjourned.

THURSDAY MORNING.

September 24, 1908.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. Morton C. Pearson, of the First Friends Church, Indianapolis.

The Journal of Wednesday, September 23, was ordered read.

The Journal was being read when, upon motion of Senator Stephenson, further reading of the same was dispensed with.

Senator Goodwin, chairman of the Committee on Finance, submitted the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 557, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GOODWINE,
Chairman.

Which report was concurred in.

Senator Strange offered a petition signed by Alfred Hogston, Charles E. Petty, Guy C. Gibson and 83 others, favoring county local option legislation, which was referred to the Committee on Public Morals.

Senator Strange offered petitions signed by 16,630 voters of all parties in Indiana favoring state-wide prohibition of the liquor traffic and asking this session to pass a resolution to be referred to the next General Assembly favoring a constitutional amendment to that effect, which petitions were referred to the Committee on Public Morals.

Senator Moore, of Putnam, submitted a communication from the Intercollegiate Prohibition Association of DePauw University petitioning for the passage of a joint resolution to be referred to the next General Assembly, submitting to the direct vote of the people a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors, and that a state-wide prohibition law be enacted at the present special session.

Which petition was referred to the Committee on Public Morals.

Senator Mock offered a petition from the Women's Christian Temperance Union of Indiana, signed by Culla J. Vayhinger, president, and Rose Pearce, secretary, favoring state-wide prohibition, which was referred to the Committee on Public Morals.

Senator Hawkins offered Senate Joint Resolution No. 13, as follows:

Whereas, at the National Conference on Trusts and Combinations under the auspices of the National Civic Federation, held at Chicago, October 22-25, 1907, that conference recommended that "Congress without delay pass legislation for a non-partisan commission, in which the interests of capital, of labor and of the general public shall be represented. This commission, like a similar commission, which proved most successful in Germany in 1870, shall consider the entire subject of business and industrial combinations and report such proposals as to the formation, capitalization, management and regulation of corporations (so far as the same may be subject to federal jurisdiction) as shall preserve individual initiative, competition and the free exercise of a free contract in all business and industrial relations," and

Whereas, Said conference recommended legislation to modify the prohibition now existing upon combinations on the following subjects: 1. National and local organization

of labor and their trade agreements with employers relating to wages, hours of labor and conditions of employment. 2. Associations made up of farmers, intended to secure a stable and equitable market for the products of the soil free from fluctuations due to speculation. 3. Business and industrial agreements or combinations whose objects are in the public interest as distinguished from objects determined to be contrary to the public interest. 4. Such commission to make a thorough inquiry into the advisability of inaugurating a system of federal license or incorporation as a condition for the entrance of certain classes of corporations upon interstate commerce and also into the relation to the public interest of the purchase by one corporation of the franchise or corporate stock of another. Now be it

Resolved, by the General Assembly of the State of Indiana, That the members of the Congress from the State of Indiana are requested to support legislation offered in Congress to carry out the above plan submitted by the National Conference on Trusts and Combinations and that this resolution, duly authenticated, shall be delivered to the House of Representatives and with the request that the same shall be laid before their respective bodies.

Which resolution was read the first time and referred to the Committee on Federal Relations.

The President handed down Engrossed House Bill No. 722, entitled:

A bill for an act to appropriate forty thousand dollars (\$40,000) to defray the expense of the special session of the Sixty-fifth General Assembly of the State of Indiana, and declaring an emergency.

The bill was read a first time by title and referred to the Committee on Finance.

The President handed down Engrossed House Bill No. 725, entitled:

A bill for an act to legalize the incorporation of the town of Munster, and all acts and ordinances of the board of trustees of said town.

The bill was read a first time by title and referred to the Committee on Judiciary B.

On motion of Senator Roemler the Senate adjourned.

THURSDAY AFTERNOON.

September 24, 1908.

The Senate convened at 2 o'clock p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The President handed down the following telegram:

Evansville, Ind., September 23, 1908.

LIEUTENANT-GOVERNOR MILLER,
Indianapolis, Ind.:

Indiana Presbytery of the Presbyterian Church of U. S. A.,
in session at Evansville, Ind., to the General Assembly
of Indiana in Special Session:

We do most respectfully petition your honorable body
to pass the county local option bill now pending.

REV. WILLIAM PADGETT, Stated Clerk.

REV. J. R. McDONALD, Moderator.

Which telegram was referred to the Committee on Public Morals.

The President handed down the following communication:

Indianapolis, Ind., September 23, 1908.

THE HON. HUGH T. H. MILLER,

Lieutenant-Governor State of Indiana:

Sir—Yourself and members of the honorable body over which you preside are invited to attend a meeting at Tomlinson Hall next Tuesday evening, the 29th.

The meeting is under the auspices of the Central Labor Union and will be addressed by Mr. Samuel Gompers, president of the American Federation of Labor.

Seats will be reserved for those of the Senate who desire to attend.

Yours respectfully,

E. W. McGINNISS, Secretary.

It was ordered that the President make suitable acknowledgment of the invitation.

Senator Ganiard called up Engrossed House Concurrent Resolution, memorializing Congress to make the necessary appropriation for the survey and construction of a ship canal connecting Lake Erie and Lake Michigan, by way of Fort Wayne, following the route of the Maumee river.

The question being upon the adoption of the resolution.

Senator Ganiard made the following motion:

MR. PRESIDENT:

I move that this Senate do now amend Engrossed Concurrent House Resolution now under consideration by striking out the words "be requested" in line 6 of the Engrossed bill and inserting in lieu thereof the words "be instructed," and that we further amend by striking out the words "be instructed" in line 8 of page 2 of said engrossed resolution and inserting in lieu thereof the words "be requested."

GANIARD.

Which motion prevailed and the resolutions were so amended.

And the resolutions were adopted as amended.

The Secretary was instructed to notify the House of the adoption of Engrossed House Concurrent Resolution, memorializing Congress to make the necessary appropriation for the survey and construction of a ship canal connecting Lake Erie and Lake Michigan, by way of Fort Wayne, following the route of the Maumee river, and to return the same to that body together with engrossed Senate amendments thereto.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that the Senate take a recess until 4 p. m.

ROEMLER.

Senator Slack, seconded by Senator Tyndall, demanded the ayes and noes.

The roll was called.

During the progress of the roll call Senator Kistler, on behalf of himself and Senators Tyndall, Ranke, Slack, Parks of Clark, and Stotsenburg, offered the following protest, with the request that the same be incorporated in the Journal:

MR. PRESIDENT:

Under section 26, article 4, of the State Constitution, we protest against these unnecessary adjournments by this body which have been forced upon us by the majority side.

For the reason that we have been here since last Friday at a great expense to the taxpayers of the State, and during said time we have only been in actual session a very few hours and have done comparatively nothing.

That it is a shame and an outrage for this body to be called in special session when the needs of the State do not demand it, and for this body, when so called in special

session, to adjourn from hour to hour and from day to day with only delay upon delay at the State's expense is preposterous and deserves condemnation by the people who pay the taxes.

KISTLER,
TYNDALL,
RANKE,
SLACK,
PARKS, of Clark.
STOTSSENBURG.

Those voting in the affirmative were:

Senators Beardsley, Bowser, Boyd, Cavins, Cox, Crum-
packer, Durre, Forkner, Ganiard, Gonnerman, Hanna,
Hawkins, Kirkman, Kittinger, Kling, Lane, McCallum,
Mattingly, Mock, Moore of Putnam, Orndorf, Parks of
Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson,
Strange, Wickwire, and Wood of Tippecanoe. Total, 30.

Those voting in the negative were:

Senators Bingham, Kistler, McDonald, Parks of Clark,
Patterson, Ranke, Slack, Stotsenburg, Tyndall, Wood of
Jackson, and Law. Total, 11.

So the motion to take a recess prevailed.

The Senate reconvened at 4 o'clock p. m., Lieutenant-
Governor Hugh Th. Miller in the chair.

The following message from the Governor:

September 24, 1908.

MR. PRESIDENT AND GENTLEMEN OF THE SENATE:

Engrossed Senate Resolution No. 9, requesting the Ex-
ecutive "to furnish at his earliest convenience to the
Finance and Agricultural Committees and to the Senate all
documents and information in his possession relative to
the 'Night Rider' situation," has been received and given
consideration.

In answer thereto I beg to submit that my information has come to me through letters and documents filed in the Executive office by persons living in localities where the threats and depredations complained of have been made or committed; from personal interviews with many responsible citizens from said localities, and from investigations made by the Adjutant-General of the State and other agents under Executive direction.

For some three years there has been an effort on the part of certain tobacco growers living in the tobacco districts in the State of Kentucky, to control the production and sale of tobacco through an organization known as the "American Society of Equity." The successful pooling of a tobacco crop depends upon securing the assent and co-operation of enough tobacco growers to substantially control the production and sale of tobacco each year. This effort has led to differences among tobacco growers, some preferring to determine for themselves the extent of their own planting of tobacco and the marketing of their own crops. These differences have intensified and widened until enmities have been engendered between the independent owners and those belonging to the society, of a character to challenge serious consideration. Under cover of conditions thus created, organized bands of men on horse-back, popularly known as "Night Riders," because they ride and commit their depredations in the night, have ridden to and fro over the tobacco section of the State of Kentucky, terrorizing the people, destroying crops, burning barns, and sometimes killing innocent citizens who have refused to diminish the planting of tobacco or to pool their crops when produced. The entire National Guard of the State seems to have been insufficient to meet and control the situation. In some counties the condition has been and now is but little better than anarchy. Even railway depots and structures have been burned because the National Guard was permitted to encamp upon the company's right of way. Within the last two years the American Society of Equity has been effectively organized in this State and in Ohio.

In the early spring, at the time of sowing the tobacco beds, the tobacco growers in Ohio and Indiana were quite generally warned not to plant a crop this year, because the crop produced and pooled last year had not yet been marketed, as satisfactory prices had not been obtained. These notices varied in form, but were all to the same effect. Many of them were mailed at postoffices in Kentucky; some of them from Cincinnati, Ohio; others from postoffices in Indiana. Yet others were tacked upon doors or left in mail boxes. Copies of some of the notices are submitted:

“Did you ever stop to think what you were doing by not cutting out the 1908 crop? You are running great risk by standing in the Trust. We have cut out the 1908 crop and made better prices for you, which you are taking advantage of. We are holding our tobacco, and our people are suffering. *We say cut it out! You had better do so for your own good.*”

“Sir: Did it ever occur to you it would be better for you to cut your 1908 crop out? Do you not realize you and the tobacco trust are squeezing the life out of many women and children? *We say stop! What do you say?*”

“Sir: You had better cut out your 1908 crop of tobacco or you may not have any barn to put it in. We are watching you.”

These notices were usually signed “Night Riders” or “N. R.,” and with them matches were usually enclosed.

The tobacco beds of certain persons who failed to heed the warning given were destroyed in several counties of the State, and in Ohio barns were burned and other depredations committed. The Governor of that State recently informed me that Ohio has been compelled to expend during the spring and summer more than \$40,000 to protect the property and lives of her citizens living in the counties of that State bordering upon the Ohio river, and that even then the Executive Department has not been able altogether to prevent the destruction of property. Conditions in Indiana became such in April and May as to cause many to-

bacco growers—men of integrity and of substantial property—to appeal to the Executive of the State for protection. The appeals became so numerous and urgent that I sent the Adjutant-General to make investigation. His investigation disclosed facts amply justifying the fear and alarm of those complaining. Other agents were employed by the Executive and further investigations made. In some instances local officials were appealed to; in other instances no appeal was made to them because of information that such officials were themselves either members of the organization, whose representatives were infracting the law, or were in full sympathy with the infractions committed or threatened. After the tobacco crop was planted, threats and depredations in this State ceased for a while, but by the latter part of August both were renewed, the form of the notice sent out at that time frequently running as follows:

“Pool your tobacco. A hint to the wise is sufficient. N. R.”

This notice has been almost invariably accompanied with matches, implying the intent of arson if the warning was not heeded. The tobacco crop, while growing, could not be destroyed without detection, but now as it is being cut and housed it may be easily destroyed by burning the barns or sheds in which it is enclosed. In the investigations made I have expended \$680.00 of the Governor's Emergency Contingent Fund during the present fiscal year. I here submit extracts from some of the letters I have received:

“The tobacco industry in this part of the State amounts to thousands of dollars annually, which will be an entire loss unless some assurance is given at once. Our tenants are mostly panic-stricken and are leaving us. Hoping you will give this your immediate attention and will find some way in which our rights and property may be protected, we are,” etc.

“We believe they will try to destroy our property if we do not receive protection in some way. We believe we

should have the privilege of raising on our own farms such crops as we see fit. We believe these threats are sent out by order of the Tobacco Association of Kentucky, and are intended to be carried out."

"Every person that raises tobacco in this vicinity has received similar notices. Will you please answer immediately and let us know what protection, if any, we may expect?"

"What aid, if any, can the State furnish us in our efforts to peacefully follow our vocations?"

"Numerous threatening letters have been received and personal threats made. The situation is becoming serious."

"I have no doubt some barns will be burned and likely soon."

"I have no doubt that the plan is to destroy crops later on and later still to resort to the burning of barns. I have many times said in discussing the situation in Kentucky that I did not believe such practices would be permitted in our State."

"There is a spirit of anarchy and we ask you to take such steps as you think best to suppress it and bring the guilty parties before the courts. If we don't want the same reputation Kentucky has, you must 'nip it in the bud.'"

"The man who received the letter is a respectable citizen and has on hand a fine crop of tobacco. He is scared almost to death, and asked me to inform you. If he sells his tobacco he is warned to leave the county."

The above is from a letter received on the 22d inst.

"On one night during the latter part of August a supposed 'Night Rider' from Owensboro Ferry went out through the Patronville neighborhood and tobacco district, and left letters in each mail box along the road, warning tobacco growers, and closing with the threat 'Save your back and your barn.' If Mr. Lieb had the welfare of his own constituency at heart he could have found all the in-

formation on this subject he wanted and would not now be asking the Governor for more specific information.

“In this vicinity the growers have had their tobacco plants destroyed and barns burned, two large barns, one recently. The owner of this barn was warned to cease growing his tobacco. That night they burned his barn, containing 11 head of horses and mules, 40 tons of hay, a lot of grain and all his farming implements.”

This letter was received on the 21st inst.

These letters, complaints and appeals could be multiplied almost without number, but repetition is needless.

I am advised that two barns other than those mentioned in the communication above have been burned within the last thirty days, and I am in receipt of a statement from Spencer county, signed by three reputable citizens of that county, one a buyer of tobacco, one a prominent lawyer, and the other a substantial tobacco grower, setting forth conditions of a character well calculated to challenge the consideration of every thoughtful man, a copy of which accompanies this message and is filed herewith.

I do not charge the American Society of Equity with the threats made or the crimes committed. I do not know that those who make or commit them are members of such society. I do not here seek to fix either guilt or responsibility. I simply submit the condition.

The transmission of the letters and documents I have received, the information I have, or the particulars of the investigations I have made, in further detail than I have given them, is incompatible with the public welfare. With due deference to your honorable body and with all courtesy and respect I am compelled to withhold them. Their publication would subject the persons writing them and the persons who have brought me information to immediate persecution and attack. I deem it my duty to protect these people; to withhold all names, all letters and documents except the copy of the statement filed herewith, consent of

the parties signing it to file it having been obtained. The right of the Executive to exercise his discretion in such case is clear and well established. The conditions described obtain in more or less degree in all the counties bordering upon the Ohio river in which tobacco is produced. In some of the counties the situation is really grave; the danger imminent. I have convened the General Assembly in special session. The facts are before you. I have asked for additional funds and authority that I may, in some measure, discharge the duty of the State to the citizens whose property and lives are threatened. The responsibility is now yours. If you act upon the recommendations made and serious trouble is averted without the use of the appropriation made or the exercise of the authority conferred, no harm will have been done. If you fail to act and conditions that threaten finally obtain, I am at a loss to understand how you will justify your failure.

Respectfully submitted,

J. FRANK HANLY,

Governor of the State of Indiana.

This message was accompanied by the following communication:

To His Excellency, J. Frank Hanly,
Governor of the State of Indiana:

For your information with reference to the Night Rider situation in Southern Indiana, we desire to submit the following statement as to the condition of Spencer county:

That Spencer county produced last year about 4,000,000 pounds of tobacco of the aggregate value of about \$300,000; that there is now growing and in process of curing a crop in excess in quantity and value of last year's crop; that Spencer county is the southernmost county in the State, and lies in close proximity to the Night Rider depredations in the State of Kentucky; that in many cases the tobacco crop is grown principally by tenants and ranges in acreage from one to about ten or twelve acres per tenant; that at Lake, in Luce township, there is a Society of Equity or-

ganized for the purpose of pooling the tobacco crop in Spencer county; that for two years last past it has pooled some tobacco; that about eight weeks ago notices were distributed throughout the southern end of this county containing this language:

“Pool your tobacco. A hint to the wise is sufficient.

“N. R.”

These notices were enclosed in a plain envelope, with two to three matches, and left at the late hours at night at the gates, doors and barns of perhaps 125 tobacco growers. These notices were printed upon plain bond paper about two by three inches, and from all indications the printing was done with a rubber stamp. One or two days following the distribution of these notices certain officers of the Society of Equity canvassed among the respective farmers requesting them to sign pooling contracts, pooling their tobacco with this society. Some of the farmers signed through fear; some signed willingly; many refused to sign.

This notice produced fear and anger among many of the farmers. It is the general opinion of the citizens of Spencer county that there is danger of barns being burned and property destroyed in the event that the farmers do not pool their tobacco. It is also common talk among the farmers that if any barns of tobacco are destroyed, the origin of which can be traced to parties engaged in the pooling of tobacco, that lives will be sacrificed and property belonging to those who are attempting to force the pooling of tobacco will also be destroyed.

The situation is such at the present time that if any barns are burned that can reasonably be traced to the Night Riders that all insurance on all tobacco barns and farmers' barns containing tobacco will be canceled, and that buyers of tobacco in Spencer county will be compelled to go out of the market on account of not being able to protect their property with insurance; that some of the leading companies are now refusing, and have so notified their agents not to take any further risks on tobacco in Spencer county.

We desire to say to you that the chief objection by the farmers to pooling their tobacco in the pooling house of the above society is that the society requires them to deposit their tobacco in their warehouse to be classified, mixed and bulked with all tobacco placed in the pooling house; that the society does not give to the farmer any contract, bond or indemnity that it will safely keep his tobacco and indemnify him against damages in case it is injured in bulk or in handling. In fact, the situation is simply this:

The farmer under the pooling agreement deposits his tobacco with the society and thereby loses all control over it, as to its sale, the price, insurance and its return to the farmer in case it is not sold or handled properly; that the officers of this society grade the tobacco and control it until it is finally sold. These officers receive certain compensation for their services. The compensation of the officers and all expense is fixed and created by the society, and the tobacco grower has no voice.

We desire to call your attention to the fact that the present representative from Spencer county is the father-in-law of the attorney and confidential advisor of this Society of Equity; that this confidential advisor's father is the chief pooling officer of this society and is the grader and classifier of the tobacco pool. It is our opinion and the opinion of many of the leading citizens of Spencer county that the Governor should be clothed with such power as will enable him to deal promptly and effectually with any depredation that may be committed. A stringent law should be passed to punish those who are guilty of the destruction of property; also that a law should be passed to mete out severe punishment to those who send out these notices as referred to above. We also desire to say to you that if you so wish we will furnish you with names of those who have received Night Rider notices, supported by their affidavit as to their receiving same, and that they desire protection from the State along the lines set out herein, as there have already been two barns burned in Spencer county

about four weeks ago on the same night, origin of which is mysterious and unknown.

Respectfully submitted,

(Signed) T. R. HARDY,
ALLEN PAYTON,
J. J. BROWN.

The message and communication were read in full and referred to the Committees on Finance and Agriculture.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that the Senate do now adjourn.

ROEMLER.

Senators Slack, Kistler, Stotsenburg, Tyndall and Bingham demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnerman, Hanna, Hawkins, Kimbrough, Kirkman, Kittinger, Kling, Lane, McCallum, Mattingly, Mock, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Strange and Wickwire. Total, 30.

Those voting in the negative were:

Senators Benz, Bingham, Kistler, McDowell, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stephenson, Stotsenburg, Tyndall, Wood of Jackson, and Law. Total, 13.

So the motion prevailed and the Senate adjourned.

FRIDAY MORNING.

September 25, 1908.

The Senate convened at 10 o'clock a. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. Harry G. Hill, of the Third Christian Church, of Indianapolis.

The Journal of Thursday, September 24, was ordered read.

The Journal was being read when, upon motion of Senator Cavins, further reading of the same was dispensed with.

Senator Hanna, chairman of the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 551, entitled a bill for an act entitled "An act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco, or the interference with the growing thereof, and declaring an emergency," has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass, with the following amendments:

To strike out the word "burns" in line 7 of section one (1) and by adding the following section:

Section 2. That whoever, by duress, threat or by intimidation, prevents, or attempts to prevent, any person or persons engaged in raising of tobacco from selling his or their tobacco to any person, firm, or corporation, shall upon conviction thereof be fined in any sum not less than twenty-five (\$25.00) dollars, nor more than five hundred (\$500.00) dollars and be imprisoned in the county jail not more than six months.

And further that the sections of the bill be renumbered in conformity herewith.

HANNA,
CRUMPACKER,
GONNERMAN,
PELZER.

Which report was concurred in.

Senator Goodwine, chairman of the Committee on Finance, submitted the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 550, entitled "A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officers, defining their powers, and appropriating money for the compensation and expense of such officers, and to protect the tobacco growing industry of Indiana, and declaring an emergency," has had the same under consideration and report the same back to the Senate with the recommendation that said bill be amended to read as follows:

By inserting in said bill after the word "the" in the second line of said bill "the finance board consisting of the";

Also, after the word "Governor" in said second line, the word "The Auditor and Treasurer," and by striking out the word "he" in said second line and inserting in lieu thereof the word "it."

Also, in the sixth line, strike out the word "Governor" and insert in lieu thereof the words "said Finance Board."

And in the eighth line, strike out the word "him" and insert in lieu thereof the word "it."

Also, in line three of section three of said bill, strike out the word "fifteen" and insert in lieu thereof the word "ten."

And as so amended, that the bill do pass.

GOODWINE,
MOORE, of Putnam.
CRUMPACKER,
McCALLUM,
BEARDSLEY,
McDOWELL.

Which report was concurred in.

Senator Goodwine, chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 552, entitled, "A bill for an act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Women's Prison, and the Indiana Reformatory, and declaring an emergency," has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GOODWINE.

Which report was concurred in.

Senator Goodwine, chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Engrossed House Bill No. 722, entitled "A bill for an act to appropriate forty thousand (\$40,000) dollars to defray the expenses of the special session of the Sixty-fifth General Assembly of the State of Indiana, and declaring an emergency," has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GOODWINE.

Which report was concurred in.

The Chair handed down four telegrams favoring Night Rider legislation, signed by Chas. T. Maas, Jas. G. Taylor, W. H. Brown, T. J. Markland, which telegrams were referred to the Committee on Finance.

Senator Goodwine introduced Senate Bill No. 562, entitled:

A bill for an act to be entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the Southeastern Hospital for the Insane and Pulse and Porter, contractors, and re-appropriating and combining in one general fund the balances remaining unexpended September 30, 1908, of all specific appropriations provided for said hospital, and declaring an emergency.

Which bill was read the first time by title and referred to the Committee on Finance.

Senator Durre, chairman of the Committee on Mines and Mining, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Mining, to which was referred Senate Bill No. 561, entitled, "A bill for an act entitled an act to amend section 2 of an act entitled an act concerning coal mines, and to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties, and repealing all laws in conflict therewith, approved March 9, 1907," beg leave to report the same back to the Senate with the following amendment:

By adding after the word "powder," at the end of section 1, "Provided that the provisions of this section making it unlawful to prepare any drill bit more than three and one-fourth ($3\frac{1}{4}$) inches in diameter to be used for the purpose of boring holes for the purpose of preparing any shot

shall not apply, or to be construed to apply to the block coal mines or block coal mining in this State.'"

And that when so amended said bill do pass.

DURRE, Chairman.
BLAND,
McDOWELL,
CAVINS,
MOSS,
PELZER.

Which report was concurred in.

Senator Durre offered the following communication :

Honorable Edgar Durre, Senator,
Indianapolis, Ind.:

Dear Sir—I suggest you would draft a measure to contain the following:

Prohibiting any sort of a mob, be it composed of saloon-keepers, workingmen, preachers, beggars or any other set of men, to invade the grounds of the Capitol, to force the legislature into the action of passing laws favoring their own hobby. Also try to get a law passed for the cure of intoxicants, men whose brains are intoxicated either by strong drink or overworked by fixed ideas; and that an officer of the State of Indiana who tries to awe a legislative body in order to carry out his fixed ideas, with or without the assistance of a mob, should be deprived of his office.

Very truly yours,

SAM'L WOMBACH.

The communication was read and referred to the Committee on Rights and Privileges.

Senator Roemler made the following motion :

MR. PRESIDENT:

I move that Senate Bills Nos. 550, 551, 552, 557 and 561 be read a second time and passed to engrossment.

ROEMLER.

Which motion prevailed.

Senate Bill No. 550, entitled:

A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officers, defining their powers, and appropriating money for the compensation and expense of such officers, and to protect the tobacco growing industry of Indiana, and declaring an emergency.

Was read a second time by title.

The question being upon the adoption of the amendments recommended by the committee.

It was agreed to.

The question being upon the engrossment of the bill.

It was so ordered.

Senate Bill No. 557, entitled:

A bill for an act entitled an act relative to appropriations heretofore and hereafter made and the reversion of unexpended balances to the State treasury at the close of each fiscal year.

Was read a second time by title and ordered to be engrossed.

Senate Bill No. 561, entitled:

A bill for an act entitled an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties, and repealing all laws in conflict therewith," approved March 9, 1907.

Was read a second time by title.

The question being upon the adoption of the amendments recommended by the committee.

It was agreed to.

The question being upon the engrossment of the bill.

It was so ordered.

Senate Bill No. 551, entitled:

“A bill for an act entitled an act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco, or the interference with the growing thereof, and declaring an emergency.”

Was read a second time by title.

The question being upon the adoption of the amendments recommended by the committee.

It was agreed to.

The question being upon the engrossment of the bill.

It was so ordered.

Senate Bill No. 552, entitled:

A bill for an act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Women's Prison, and the Indiana Reformatory, and declaring an emergency.

Was read a second time by title.

The question being upon the engrossment of the bill.

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 552 be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Be it enacted by the General Assembly of the State of Indiana that the following sums for the purpose hereinafter named be and they are hereby appropriated out of any money in the treasury not otherwise appropriated, to wit:

For the Indiana Girls' School at Fairmount. Regular: Maintenance for the fiscal year ending September 30, 1908, eight thousand dollars. Specific: For heating and water line from new cottage to the power house, ten thousand dollars; for plumbing, sewerage, electric lighting, cistern

and equipment for new cottage, four thousand dollars; for furnishings for new cottage, three thousand dollars; for completion and equipment of storehouse and cold storage plant, two thousand dollars; for the repair and the completion of the sewerage system, five thousand dollars.

For the Indiana Boys' School at Plainfield. Regular: Maintenance for the fiscal year ending September 30, 1908, seven thousand dollars.

For the Indiana Women's Prison at Indianapolis. Regular: Maintenance for the fiscal year ending September 30, 1908, one thousand dollars.

To the Indiana State Soldiers' Home at Lafayette, the sum of one thousand and eighty-nine dollars and seventy-four cents (\$1,089.74), to be expended in grading, sodding, building driveways and cement walks about the new hospital building just completed at said home; said sum being the surplus remaining from the specific appropriation made for the building of said hospital at the legislative session of 1907, and which remained unexpended after completion of the same, and it is directed that said sum be transferred from the hospital fund of said institutions for the purposes hereinafter stated.

For the Indiana Reformatory at Jeffersonville. Specific: For books to replace the library destroyed by fire, one thousand eight hundred fifty-three dollars and seventy-nine cents.

For the custody and preservation of all the battle flags and regimental flags carried by any organization of Indiana soldiers of the civil war of 1861-1865, the Mexican war and the Spanish-American war, and for the mounting and reinforcement of said flags, and for the purchase of cases for the same, twelve thousand dollars: Provided, That said money for such custody and preservation of said battle flags shall be expended by a board composed of two honorably discharged soldiers of the Union Army in the late Civil War, and one of the late Spanish-American War;

The members of said board to be appointed immediately after the taking effect of this act by the Governor of the State;

Said board to serve and discharge their duties without fee or pay for such services; all bills for work and material to be approved by said board and the Governor of the State of Indiana, and upon such approval the Auditor of the State shall draw a warrant upon the Treasurer of the State of Indiana for the payment of the same.

Such cases containing said flags to be placed in charge of the Custodian of the State House and placed in the corridor of the third story of the State House; said cases to be constructed air-tight with plate glass fronts.

All of said appropriations are hereby made immediately available, and all of said specific appropriation shall continue to be available until September 30, 1909.

Sec. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

GOODWINE.

Which motion prevailed.

The question being upon the adoption of the amendments set forth in Senator Goodwine's motion.

It was agreed to.

The question recurring to the engrossment of the bill, as amended.

It was so ordered.

It was ordered that Senate Bill No. 552 be printed as amended.

Senator Slack offered Senate Concurrent Resolution No. 13, as follows:

MR. PRESIDENT:

I offer the following concurrent resolution:

Resolved, by the Senate and the House of Representatives concurring, That the time when the special session

shall adjourn sine die shall be fixed for the hour of twelve o'clock noon, on Saturday, September 26, 1908.

SLACK.

The question being upon the adoption of the resolution.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that Senate Concurrent Resolution No. 13 be laid upon the table.

ROEMLER.

The question being upon the motion of Senator Roemler to lay Senate Concurrent Resolution No. 13 upon the table.

Senators Slack and Tyndall demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Crumpacker, Durre, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Kimbrough, Kirkman, Kittinger, Koehne, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moss, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Strange, Wickwire and Wood of Tippecanoe. Total, 31.

Those voting in the negative were:

Senators Benz, Forkner, Kistler, McDowell, Moore of Putnam, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stephenson, Stotsenburg, Tyndall and Law. Total, 14.

So the motion to lay Senate Concurrent Resolution No. 13 upon the table prevailed.

Upon motion of Senator Springer, the Senate adjourned.

FRIDAY AFTERNOON.

September 25, 1908.

The Senate reconvened at 2 o'clock p. m., Lieutenant-Governor Hugh Th. Miller in the chair.

The President handed down Engrossed House Bill No. 722, entitled:

"A bill for an act to appropriate forty thousand (\$40,000) dollars to defray the expense of the special session of the Sixty-fifth General Assembly of the State of Indiana, and declaring an emergency."

The bill was read a second time by title and passed to third reading.

Senator Slack was excused from attendance at this session.

Senator Goodwine, chairman of the Committee on Finance, submitted the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 562, entitled "A bill for an act to be entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct a southeastern hospital for the insane, and Pulse and Porter, contractors, and reappropriating and combining in one general fund the balances remaining unexpended September 30, 1908, of specific appropriations provided for said hospital, and declaring an emergency," has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the said bill do pass.

GOODWINE, Chairman.

Which report was concurred in.

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that the constitutional rule requiring bills to be read on three separate days be suspended and that Senate Bill No. 562 be read a second time by title and passed to engrossment.

GOODWINE.

The question being upon the suspension of the constitutional rule.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kistler, Kittinger, Kling, Lane, McCallum, McDowell, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Clark, Parks of Marshall, Patterson, Pearson, Ranke, Roemler, Shafer, Stotsenburg, Tyndall, Wickwire, Wood of Tippecanoe, and Law. Total, 40.

Senator Wood of Jackson voting in the negative.

So the motion prevailed, the constitutional rule was suspended, and Senate Bill No. 562, entitled:

A bill for an act to be entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the southeastern hospital for the insane, and Pulse and Porter, contractors, and re-appropriating and combining in one general fund the balances remaining unexpended September 30, 1908, of all specific appropriations provided for said hospital, and declaring an emergency.

Was read a second time by title and ordered to be engrossed.

It was ordered that the bill be not printed.

Upon motion of Senator Springer, the Senate adjourned.

SATURDAY MORNING.

September 26, 1908.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. E. F. Albertson of the First M. E. Church of Butler, Ind.

The Journal of Friday, September 25, 1908, was ordered read.

The Journal was being read when, upon motion of Senator Moore of Putnam, further reading of the same was dispensed with.

Senator Mattingly, chairman of the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 13, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that said resolution be adopted.

MATTINGLY, Chairman.

Which report was concurred in.

Senator Bingham was excused on account of illness.

The President handed down Engrossed Senate Bill No. 562, entitled:

A bill for an act entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the southeastern hospital for the insane, and Pulse and Porter, contractors, and reappropriating and continuing in one general fund the balances remaining unexpended September 30, 1908, of all specific ap-

appropriations provided for said hospital, and declaring an emergency.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kittinger, Kling, Koehne, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Strange, Wickwire and Wood of Tippecanoe. Total, 34.

Those voting in the negative were:

Senators Benz, Kistler, McDowell, Moss, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stephenson, Stotsenburg, Tyndall, Wood of Jackson, and Law. Total, 14.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

It was so ordered.

The Secretary was ordered to inform the House of the passage of Engrossed Senate Bill No. 562, and transmit the same to that body for further action.

The chair handed down Engrossed Senate Bill No. 557, entitled:

A bill for an act entitled an act relative to appropriations heretofore and hereafter made and the reversion of unexpended balances to the state treasury at the close of each fiscal year.

The bill was read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 557 be recommitted to a committee of one, its author, with specific instructions to amend by striking out the period at the end of section 1 of said bill and inserting in lieu thereof a colon, and by adding the words "Provided, that the specific appropriations made by the General Assembly of 1907 for the southeastern hospital for the insane shall not be affected by the provisions of this act.

GOODWINE.

Which motion prevailed.

And Engrossed Senate Bill No. 557 was accordingly re-committed to Senator Goodwine, its author, as a committee of one, with such specific instructions.

Senator Goodwine made the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Engrossed Senate Bill No. 557, with specific instructions, begs leave to report the same back to the Senate, amended according to instructions.

GOODWINE.

Which report was concurred in.

The question recurring to the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kittinger, Kling, Koelne, McCallum, Mattingly, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire and Wood of Tippecanoe. Total, 32.

Those voting in the negative were:

Senators Benz, Kistler, McDowell, Moss, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Tyn-dall, Wood of Jackson, and Law. Total, 13.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move to amend the title of Engrossed Senate Bill No. 557 by adding thereto the words "and declaring an emergency."

GOODWINE.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

The bill, as amended, was ordered re-engrossed.

The Secretary was ordered to inform the House of the passage of Engrossed Senate Bill No. 557, and transmit the same to that body for further action, together with engrossed Senate amendments thereto.

The President handed down Engrossed Senate Bill No. 551, entitled:

A bill for an act entitled an act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco, or the interference with the growing thereof, and declaring an emergency.

The bill was read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

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Senator Cox made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 551 be recommitted to a committee of one, its author, with specific instructions to amend the same by inserting the following words in line 3 of section 2 thereof after the words "raising of tobacco" the words "or any grower of tobacco."

COX.

Which motion prevailed.

And Engrossed Senate Bill No. 551 was accordingly re-committed to Senator Kimbrough, its author, as such committee of one, with such specific instructions.

Senator Kimbrough submitted the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Engrossed Senate Bill No. 551, with specific instructions to amend the same, begs leave to report that said bill has been amended according to instructions.

KIMBROUGH.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Moss made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 551 be recommitted to a committee of one, its author, with specific instructions to amend the same by striking out of line 3, section one, the words "by any means whatsoever," also by striking out of line 6, section one, the words "by any means whatsoever."

MOSS.

Which motion did not prevail.

The question recurring to the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Gonnermann, Goodwine, Hanna, Hugg, Kimbrough, Kittinger, Kling, Koehne, McCallum, Orndorf, Parks of Marshall, Patterson, Pearson, Pelzer, Roemler, Stephenson, Strange, Wickwire and Wood of Tippecanoe. Total, 29.

Those voting in the negative were Senators Kistler, McDowell, Moss, Parks of Clark, Ranke, Shafer, Stotsenburg, Tyndall, Wood of Jackson and Law. Total, 10.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

Senator Kimbrough made the following motion:

MR. PRESIDENT:

I move that the title to Engrossed Senate Bill No. 551 be amended to read as follows:

“A bill for an act to provide for the protection of tobacco growing, and fixing a penalty for the destruction of or injury to tobacco, or the interference with the growing or sale thereof, and declaring an emergency.”

KIMBROUGH.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

The bill was ordered re-engrossed as amended.

The Secretary was ordered to inform the House of the passage of Engrossed Senate Bill No. 551, and transmit the same to that body for further action, together with all Senate amendments thereto.

The President handed down Engrossed Senate Bill No. 550, entitled:

A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officers, defining their powers, and appropriating money for the compensation and expense of such officers and to protect the tobacco industry of Indiana, and declaring an emergency.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kittinger, Kling, Koehne, McCallum, Moore of Fayette, Moss, Orndorf, Parks of Marshall, Pearson, Pelzer, Ranke, Roemler, Strange, Wickwire and Wood of Tippecanoe. Total, 29.

Those voting in the negative were:

Senators Benz, Forkner, Kistler, McDowell, Parks of Clark, Patterson, Shafer, Stotsenburg, Tyndall, Wood of Jackson and Law. Total, 11.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

Senator Kimbrough made the following motion:

MR. PRESIDENT:

I move that the title to Engrossed Senate Bill No. 550 be amended to read as follows:

“A bill for an act entitled an act authorizing the finance board, consisting of the Governor, the Auditor and the Treasurer of the State of Indiana, to appoint secret service officers, defining their powers and appropriating money for the compensation and expense of such officers, and to pro-

tect the tobacco growing industry of Indiana, and declaring an emergency.”

KIMBROUGH.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

It was ordered that the bill be re-engrossed as amended and that the Secretary notify the House of the passage of Engrossed Senate Bill No. 550, and transmit the same to that body for further action, together with Engrossed Senate amendments thereto.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 548, entitled a bill for an act concerning county local option, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS.

Principal Clerk of the House.

September 26, 1908.

The President handed down Engrossed Senate Bill No. 552, entitled:

A bill for an act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, Indiana Women's Prison, and the Indiana Reformatory, and declaring an emergency.

The bill was read a third time by sections and put upon its passage.

The question being upon the passage of the bill.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 552 be recommitted to a committee of one, its author, with specific instructions to amend the same by striking out the word "Fairmount" in line 9 of section 1, and that the word "Clermont" be inserted in lieu thereof."

ROEMLER.

Which motion prevailed.

And Engrossed Senate Bill No. 552 was accordingly re-committed to Senator Kirkman, its author, as such committee, with such specific instructions.

Senator Kirkman submitted the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Engrossed Senate Bill No. 552, with specific instructions to amend the same, begs leave to report same back to the Senate, amended according to instructions.

KIRKMAN.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Springer made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 552 be recommitted to a committee of one, its author, with specific instructions to amend as follows:

Add after the word "Fronts" in line 52 the following:

That to the P. H. McCormick Company, to Patrick H. McCormick and Philip Wilk, partners, as the P. H. McCormick Company, there be allowed the sum of seventeen hundred and five dollars and ten cents (\$1,705.10) in settlement of a claim for interest upon the amount adjudged as due and owing to said company at the rate of six per cent per annum, from September 1, 1901, to May 1, 1907;

as passed at the regular session of 1907 and omitted from the bill at the time of its enrollment.

SPRINGER.

Which motion prevailed.

And Engrossed Senate Bill No. 552 was accordingly re-committed to Senator Kirkman, its author, as such committee of one, with such specific instructions.

Senator Kirkman submitted the following report:

MR. PRESIDENT:

Your committee of one, to which was recommitted Engrossed Senate Bill No. 552, with specific instructions to amend the same, begs leave to report the same back to the Senate, amended according to instructions.

KIRKMAN.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Slack made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 552 be recommitted to a committee of one, its author, with specific instructions to amend said bill by striking out all of said bill after the enacting clause up to and including line 32, section one.

SLACK.

The question being upon the motion of Senator Slack to recommit.

Senator Hugg moved to lay the motion to recommit upon the table.

The question being upon the motion to lay the motion to recommit upon the table.

Senator Slack, seconded by Senator Kistler, demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cox, Crum-
packer, Durre, Forkner, Ganiard, Goodwine, Hanna, Haw-
kins, Hugg, Kimbrough, Kirkman, Kittinger, Kling,
Koehne, Lane, McCallum, Mattingly, Mock, Moore of Fay-
ette, Parks of Marshall, Pearson, Pelzer, Roemler, Steph-
enson, Strange, Wickwire, Wood of Tippecanoe. Total, 31.

Those voting in the negative were:

Senators Benz, Kistler, McDowell, Moss, Orndorf,
Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsen-
burg, Tyndall, Law. Total, 13.

So the motion to lay upon the table prevailed.

The question recurring to the passage of the bill.

Senator Slack made the following motion:

MR. PRESIDENT:

I move that Engrossed Senate Bill No. 552 be recom-
mitted to a committee of one, its author, with specific in-
structions to amend said bill by striking out in line 40, sec-
tion 1, the word "two" and inserting in lieu thereof the
word "one," and inserting in line 42 of section 1, after the
word "war," the words "and one of the Mexican War,"
and that the word "and" in line 41 of said section be
stricken out, and that the word "soldiers" in line 40 of said
section be "soldier."

SLACK.

Which motion prevailed.

And Engrossed Senate Bill No. 552 was accordingly re-
committed to Senator Kirkman, its author, as such com-
mittee of one, with such specific instructions.

Senator Kirkman made the following report

MR. PRESIDENT:

Your committee of one, to which was recommitted En-
grossed Senate Bill No. 552, begs leave to report the same
back to the Senate amended according to instructions.

KIRKMAN.

Which report was concurred in.

The question recurring to the passage of the bill.

Senator Moore of Putnam made the following motion :

MR. PRESIDENT :

I move that Engrossed Senate Bill No. 552 be recommitted to a committee of one, its author, with specific instructions to amend the same by striking out of section 1, line 8, the word "ten" and inserting in lieu thereof the word "seven."

MOORE of Putnam.

Which motion prevailed.

And Engrossed Senate Bill No. 552 was accordingly re-committed to Senator Kirkman, its author, as such committee of one, with such specific instructions.

Senator Kirkman made the following report :

MR. PRESIDENT :

Your committee of one, to which was recommitted Engrossed Senate Bill No. 552, with specific instructions to amend the same, begs leave to report the same back to the Senate amended according to instructions.

KIRKMAN.

Which report was concurred in.

The question recurring to the passage of the bill.

The roll was called.

Those voting in the affirmative were :

Senators Beardsley, Benz, Bland, Bowser, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kittinger, Kling, Koehne, Lane, McCallum, McDowell, Mattingly, Mock, Moore of Putnam, Moss, Orndorf, Parks of Clark, Patterson, Pearson, Pelzer, Ranke, Roemler, Slack, Springer, Stephenson, Stotsenburg, Strange, Tyndall, Wickwire, Wood of Tippecanoe, Law. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that the title to Engrossed Senate Bill No. 552 be amended to read as follows:

“A bill for an act entitled an act making appropriations for the Indiana boys’ school, the Indiana girls’ school, the Indiana woman’s prison, the Indiana reformatory, the Indiana soldiers’ home, and for the custody and preservation of the battle and regimental flags carried by Indiana soldiers in the Civil war, the Mexican war and the Spanish-American war, and providing for the custody and preservation of the said flags, designating a place in the state house where they shall be kept; providing for the appointment of a board to expend the money appropriated for the preservation of said flags, and providing for the approval of bills for work and material for said board and for the payment of the P. H. McCormick Company claim omitted from the Acts of 1907, and declaring an emergency.”

GOODWINE.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

It was ordered that the bill as amended be re-engrossed.

The secretary was ordered to notify the House of the passage of Engrossed Senate Bill No. 552, and to transmit the same to that body for further action, together with engrossed Senate amendments thereto.

The President handed down Engrossed Senate Bill No. 561, entitled:

A bill for an act entitled an act to amend section 2 of an act entitled “An act concerning coal mines, and to provide

for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties and repealing all laws in conflict therewith," approved March 9, 1907.

The bill was read a third time by sections and put upon its passage.

The question being upon the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough, Kirkman, Kistler, Kittinger, Kling, Koehne, Lane, McCallum, McDowell, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Moss, Orndorf, Parks of Clark, Parks of Marshall, Patterson, Pearson, Pelzer, Ranke, Roemler, Slack, Springer, Stephenson, Stotsenburg, Strange, Tyndall, Wickwire, Wood of Jackson, Wood of Tippecanoe, and Law. Total, 47.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

It was so ordered.

The secretary was ordered to inform the House of the passage of Engrossed Senate Bill No. 561 and to transmit the same to that body for further action.

The President handed down Engrossed House Bill No. 722, entitled:

A bill for an act to appropriate forty thousand dollars (\$40,000) to defray the expense of the special session of the Sixty-fifth General Assembly of the State of Indiana, and declaring an emergency.

The bill was read a third time by sections and put upon its passage.

The question being upon the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Kimbrough, Kirkman, Kittinger, Kling, Koehnè, Lane, McCallum, McDowell, Mattingly, Moore of Fayette, Moore of Putnam, Orndorf, Parks of Clark, Parks of Marshall, Patterson, Pearson, Pelzer, Roemler, Springer, Stephenson, Strange, Wickwire, Wood of Tippecanoe, and Law. Total, 38.

Those voting in the negative were:

Senators Hugg, Kistler, Moss, Ranke, Stotsenburg, Tyn-dall and Wood of Jackson. Total, 7.

So the bill passed.

The question being, Shall the title of the bill as read stand as the title of the act?

It was so ordered.

The Secretary was ordered to inform the House of the passage of Engrossed House Bill No. 722, and return same to that body.

On motion of Senator Roemler the Senate adjourned.

SATURDAY AFTERNOON.

September 26, 1908.

The Senate convened at 2 p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion :

MR. PRESIDENT :

I move that the Senate take a recess until 3 o'clock p. m.

ROEMLER.

Which motion prevailed.

The Senate reconvened at 3 o'clock p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion :

MR. PRESIDENT :

I move that the Senate take a recess until 4 o'clock p. m. in order that we may learn of the action of the House.

ROEMLER.

Which motion prevailed.

The Senate reconvened at 4 o'clock p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the Speaker has signed Senate Enrolled Act No. 548, entitled an act to better regulate and control the sale of intoxicating liquors and providing for local option elections.

And the same is herewith returned to the Senate.

M. S. HASTINGS,

Principal Clerk of the House.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed House Enrolled Act No. 722, and the same is herewith transmitted to the Senate for the signature of the President of the Senate.

M. S. HASTINGS,
Principal Clerk.

The President announced that he had signed Enrolled Senate Act No. 548 and Enrolled House Act No. 722.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Joint Resolution No. 7, proposing an amendment to the Constitution of the State of Indiana by inserting Sec. 17, forever prohibiting the manufacture, sale or keeping for sale, in the State of Indiana, spirituous, vinous, malt or any intoxicating liquors, except for scientific, medical, mechanical and sacramental purposes, and providing for regulating sales for said purposes. And the same is herewith transmitted to the Senate for action by the Senate.

M. S. HASTINGS,
Principal Clerk.

Senator Wood of Tippecanoe made the following motion:

MR. PRESIDENT:

I move that Engrossed House Joint Resolution No. 7 be referred to the Committee on Judiciary A, with instructions to investigate and report upon the constitutionality of said resolution.

WOOD of Tippecanoe.

Which motion prevailed, and Engrossed House Joint Resolution No. 7 was accordingly, without reading, referred to the Committee on Judiciary A with such instructions.

Senator Roemler made the following motion :

MR. PRESIDENT :

I move that the Senate take a recess until 4:30.

ROEMLER.

Which motion prevailed.

The Senate reconvened at 4:30 p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion :

MR. PRESIDENT :

I move that when the Senate adjourn it adjourn until 2 p. m. Monday, September 28.

ROEMLER.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 734, entitled a bill for an act to amend section 2 of an act entitled an act concerning coal mines, etc., approved March 9, 1907. And the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The President handed down Engrossed House Bill No. 734, entitled :

A bill for an act entitled an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties and repealing all laws in conflict therewith," approved March 9, 1907.

The bill was read a first time by title and referred to the Committee on Mines and Mining.

Senator Slack made the following motion :

MR. PRESIDENT :

I move that the Attorney-General of Indiana be requested to furnish this Senate his opinion whether or not under the constitution of this State Engrossed House Joint Resolution No. 7 may be acted upon at this special session of the General Assembly.

SLACK.

The question being upon the motion of Senator Slack.

Senator Wood of Tippecanoe moved to lay the motion upon the table.

The question being upon the motion to lay Senator Slack's motion upon the table.

Senator Slack, seconded by Senator Parks of Clark, demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were :

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hawkins, Kirkman, Kittinger, Lane, Mattingly, Moore of Fayette, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Strange, Wickwire, Wood of Tippecanoe. Total, 26.

Those voting in the negative were :

Senators Benz, Kistler, McDowell, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Wood of Jackson, and Law. Total, 11.

So the motion to lay upon the table prevailed.

On motion of Senator Roemler the Senate adjourned.

MONDAY AFTERNOON.

September 28, 1908.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. Allen B. Philputt of the Central Christian Church, Indianapolis.

The Journal of Saturday, September 26, was ordered read.

The Journal was being read when, upon motion of Senator Moore of Fayette, further reading of the same was dispensed with.

On motion of Senator Roemler the Senate took a recess until 3 o'clock p. m. in order to ascertain the action of the House on certain Senate measures.

The Senate reconvened at 3 o'clock p. m. with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Moore of Putnam offered a resolution adopted by the Methodist Ministerial Association, as follows:

Whereas, A resolution submitting to a vote of the people of Indiana an amendment to the State Constitution, prohibiting the manufacture and sale of intoxicating liquor, passed in the House of Representatives last Saturday by a vote of 72 to 28; and

Whereas, Said resolution is now pending in the Senate and may be brought up for action in that body this afternoon; therefore, be it

Resolved, That the Methodist Ministerial Association of Indianapolis earnestly petitions the Senate to take favorable action on this measure if they shall find there is no constitutional hindrance.

Resolved, That a copy of these resolutions be placed in the hands of the presiding officer of the Senate this afternoon.

H. C. CLIPPINGER,
Secretary M. E. Preachers' Association.

E. M. CHAMBERS, President.

Which resolution was read and referred to the Committee on Judiciary "A."

The following message was received from the Governor:

Executive Department, State of Indiana,
Indianapolis, Indiana, September 28, 1908.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 548, an act entitled "An act to better regulate, restrict and control the sale of intoxicating liquors and providing for local option elections." And the same has been deposited with the Secretary of State.

Respectfully,

FRED L. GEMMER,
Secretary to the Governor.

Senator Hawkins made the following motion:

MR. PRESIDENT:

I move that the Senate Committee on Roads be discharged from further consideration of Senate Bill No. 549, and that said committee be and hereby are ordered forthwith to report said bill to the Senate for action.

HAWKINS.

The question being upon the motion of Senator Hawkins.

Senator Roemler moved to lay the motion upon the table.

The question being upon the motion to lay the motion of Senator Hawkins upon the table.

Senator Hawkins, seconded by Senator Moss, demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Bland, Bowser, Boyd, Cavins, Cox, Durre, Ganiard, Gonnermann, Goodwine, Kimbrough, Kittinger, Kling, Koehne, Lane, McCallum, McDowell, Mattingly, Mock, Orndorf, Patterson, Pearson, Pelzer, Roemler, Springer, Strange, Wickwire, Wood of Tippecanoe. Total, 28.

Those voting in the negative were:

Senators Benz, Crumpacker, Hanna, Hawkins, Hugg, Moss, Parks of Clark, Ranke, Shafer and Wood of Jackson. Total, 10.

So the motion to lay upon the table prevailed.

Senator Stephenson, chairman of the Committee on Judiciary A, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary A, to whom was referred Engrossed House Joint Resolution No. 7, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the following reasons:

That a proposed amendment to the Constitution of the State of Indiana has been introduced and is now pending upon the subject of the qualifications necessary to practice law in the Courts of the State, and until that proposed amendment is disposed of no other proposed amendment can be considered, under Section Two of Article Sixteen of the Constitution of the State of Indiana, which reads as follows:

“If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the

electors shall vote for or against each of such amendments separately; and while an amendment or amendments which shall have been agreed upon by one general assembly shall be awaiting the action of a succeeding general assembly, or of the electors, no additional amendment or amendments shall be proposed."

STEPHENSON, Chairman.

Senators Slack and Stotsenburg of the Committee on Judiciary A submitted a minority report, as follows:

MR. PRESIDENT:

The minority of your Committee on Judiciary A would respectfully report that they have had under consideration Engrossed House Joint Resolution No. 7, and would report the same back to the Senate with the recommendation that the Attorney-General of the State of Indiana be requested to give to this Senate an opinion whether or not said resolution can be acted upon at the present session of the General Assembly, and further action be deferred until the opinion is obtained by proper resolution of the Senate.

SLACK,
STOTSENBURG.

The question being, Shall the minority report be concurred in?

Senator Slack, seconded by Senator Stotsenburg, demanded the ayes and noes.

The roll was called.

Those voting in the affirmative were:

Senators Bingham, Kistler, McDowell, Parks of Clark, Patterson, Ranke, Shafer, Slack, Stotsenburg, Strange, Wood of Jackson and Law. Total, 12.

Those voting in the negative were:

Senators Beardsley, Benz, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Durre, Forkner, Ganiard, Gonnermann, Goodwine, Hanna, Hawkins, Hugg, Kimbrough,

Kirkman, Kittinger, Kling, Koehne, Lane, McCallum, Mattingly, Mock, Moore of Fayette, Orndorf, Parks of Marshall, Pearson, Pelzer, Roemler, Springer, Stephenson, Wickwire and Wood of Tippecanoe. Total, 35.

So the minority report was not concurred in.

The question being, Shall the majority report be concurred in?

It was so ordered.

Senator Slack submitted a communication from the Christian Ministers' Association of Indianapolis, urging the passage of a resolution by this special session of the Legislature providing for a constitutional amendment forever prohibiting the manufacture, sale and use of intoxicating liquors as a beverage, within the borders of the State.

This communication was referred to Committee on Judiciary A.

Senator Durre, chairman of the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT:

Your Committee on Mines and Mining, to which was referred Engrossed House Bill No. 734, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DURRE, Chairman.

Which report was concurred in.

On motion of Senator Roemler, the Senate took a recess until 4:45 o'clock, to await the action of the House.

The Senate reconvened at 4:45 o'clock, with Lieutenant-Governor Hugh Th. Miller in the chair.

Upon motion of Senator Roemler, the Senate adjourned.

TUESDAY MORNING.

September 29, 1908.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

The Senators, standing, repeated the Lord's Prayer.

The Journal of Monday, September 28, was ordered read.

The Journal was being read when, upon motion of Senator Wickwire, further reading of the same was dispensed with.

The President handed down Engrossed House Bill No. 734 for second reading.

Engrossed House Bill No. 734, entitled:

A bill for an act entitled an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties, and repealing all laws in conflict therewith," approved March 9, 1907.

Was read a second time by title, and advanced to third reading.

Senator Cavins made the following motion:

MR. PRESIDENT:

I move that Engrossed House Bill No. 734 be amended as follows:

Strike out the last word, "and," on page one of the bill where said word appears in section one as engrossed.

Strike out the word "safty" in section one on page one and insert in lieu thereof the word "safety."

Renumber section 3 to be section 2.

CAVINS.

Which motion prevailed.

It was ordered that Senate amendments to Engrossed House Bill No. 734 be engrossed.

Senator Bland made the following motion :

MR. PRESIDENT :

I move that the Senate take a recess until 11 o'clock a. m., in order that we may in the meantime be advised as to the action of the House.

BLAND.

Which motion prevailed.

The Senate reconvened at 11 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Nothing having been heard of any action by the House, upon motion of Senator Roemler, the Senate adjourned.

TUESDAY AFTERNOON.

September 29, 1908.

The Senate convened at 2:00 p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 562, entitled a bill for an act approving and legalizing the contract made between the Board of Commissioners appointed to construct the Southeastern Hospital for the Insane and Pulse and Porter, contractors, etc.

And the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 551, entitled "An act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco," etc., with Engrossed House Amendments and section 3 stricken out, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The President handed down Engrossed Senate Bill No. 551, which had been returned from the House, together with Engrossed House Amendments thereto, as follows:

Engrossed House Amendments to Engrossed Senate Bill No. 551:

By inserting in line 3 of section II thereof, after the word "tobacco" and before the word "from," the following, "or the farm or garden product."

By inserting in line 3 of said section, after the word "tobacco" and before the word "to," the following, "or the farm or garden product."

By inserting in line 4 of section I thereof, after the word "tobacco," the following, "or any other farm or garden."

By inserting in line 8 of said section I, after the word "tobacco," the following, "or other farm or garden."

By inserting in line 10 of said section I, after the word "tobacco" and before the word "not," the following, "or other farm or garden product."

By inserting in said line 10 after the word "tobacco" and before the word "has," the following, "or other farm or garden product."

That the title of Engrossed Senate Bill No. 551 be amended to read as follows:

"A bill for an act to provide for the protection of tobacco growing and other farm and garden products and

fixing a penalty for the destruction of or the injury to tobacco and other farm and garden products or the interference with the growing or sale thereof.”

By striking out section 3 of Engrossed Senate Bill No. 551.

The question being; “Shall the Senate concur in the Engrossed House Amendments to Engrossed Senate Bill No. 551?”

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that the Senate do not concur in Engrossed House Amendments to Engrossed Senate Bill No. 551, and that a conference committee be appointed.

ROEMLER.

Which motion prevailed, and the President appointed Senators Kimbrough and Cavins as Senate members of a conference committee to which would be referred Engrossed House Amendments to Engrossed Senate Bill No. 551.

The Secretary was instructed to inform the House that the Senate had refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 551, and of the appointment of a conference committee on the same, and respectfully request the House to appoint a like committee.

Upon motion of Senator Roemler, the Senate took a recess until 2:30 o'clock p. m.

The Senate reconvened at 2:30 p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion

MR. PRESIDENT:

Inasmuch as the House has not yet convened for the afternoon session, I move that the Senate take a recess until 3:00 o'clock p. m.

ROEMLER.

Which motion prevailed.

The Senate reconvened at 3:00 p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Upon motion of Senator Roemler, the Senate took a recess until 3:30 p. m., awaiting certain action by the House.

The Senate reconvened at 3:30 p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House:
MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 561, entitled "A bill for an act entitled an act to amend section 2 of an act entitled 'An act concerning mines and mining,' " etc., and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

Senator Bland made the following motion:

MR. PRESIDENT:

I move that the constitutional rule requiring bills to be read on three separate days, be suspended, and that Engrossed House Bill No. 734 be now read a third time in full and put upon its passage.

BLAND.

The question being upon the suspension of the constitutional rule.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bingham, Bland, Bowser, Boyd, Cavins, Crumpacker, Durre, Forkner, Gonnermann, Goodwine, Hanna, Hawkins, Kimbrough, Kittinger, Kling, Lane, McCallum, McDowell, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Moss, Orndorf, Parks of Clark, Pearson, Patterson, Pelzer, Ranke, Roemler, Slack, Wickwire and Law. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 734, entitled:

A bill for an act entitled an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines and matters connected therewith, and providing penalties and repealing all laws in conflict therewith," approved March 9, 1907.

Was read a third time by sections and placed upon its passage.

The question being upon the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Beardsley, Benz, Bingham, Bland, Bowser, Boyd, Cavins, Cox, Crumpacker, Forkner, Gonnermann, Goodwine, Hanna, Hawkins, Kimbrough, Kittinger, Kling, Lane, McCallum, McDowell, Mattingly, Mock, Moore of Fayette, Moore of Putnam, Moss, Orndorf, Parks of Clark, Patterson, Pearson, Pelzer, Ranke, Roemler, Slack, Stotsenburg and Law. Total, 35.

None voting in the negative.

So the bill passed.

The question, Shall the title of the bill as read stand as the title of the act? was propounded by the President.

Senator Cavins offered the following motion:

MR. PRESIDENT:

I move to amend the title of Engrossed House Bill No. 734 by striking out the word "safty" and inserting in lieu thereof the word "safety."

CAVINS.

Which motion prevailed.

The question being, Shall the title of the bill as amended stand as the title of the act?

It was so ordered.

And Senate amendments to the title of Engrossed House Bill No. 734 were ordered engrossed.

The Secretary was ordered to inform the House of the passage of Engrossed House Bill No. 734, and to return the same to that body, together with Engrossed Senate Amendments thereto.

Upon motion of Senator Roemler, the Senate took a recess until 4:00 o'clock p. m.

The Senate convened at 4:00 o'clock p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 552, a bill for an act entitled an act making appropriations for the Indiana Girls' School, Indiana Boys' School, the Indiana Woman's Prison and the Indiana Reformatory, and declaring an emergency, with Engrossed House Amendments, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 557, a bill for an act entitled an act relative to appropriations heretofore and hereafter made and the reversion of the unexpended balances to the State Treasury at the close of the fiscal year, with Engrossed House Amendments, and the same is herewith transmitted for the action of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the Speaker has signed Senate Enrolled Acts Nos. 561 and 562, and the same are herewith returned to the Senate for the signature of the President of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the Speaker has appointed Messrs. Johnston and Hanna as House members of a conference committee, to which would be referred Engrossed House Amendments to Engrossed Senate Bill No. 551.

M. S. HASTINGS,
Principal Clerk of the House.

The President handed down Engrossed Senate Bill No. 557, together with Engrossed House Amendments thereto, as follows :

Engrossed House Amendments to Engrossed Senate Bill No. 557 :

That said bill be amended as follows :

By striking out section 1 and inserting in lieu thereof the following :

Section 1. Be it enacted by the General Assembly of the State of Indiana, That the unexpended balances remaining in the state treasury of the specific appropriations made by the regular session of the General Assembly of 1907 for the following specific purposes, viz.: Purdue University: agricultural experiment station building, including all and singular the necessary equipment therefor; State Normal School: fireproof library building and equipment, including book lifts, furniture and architect's fees; School for

Deaf and Dumb: boys' dormitories, including heating, electric wiring and plumbing; girls' dormitories, including heating, electric wiring and plumbing, mechanical equipment, outside water and fire system, architect's fees, superintendent of construction, advertisement, clerk and miscellaneous expenses; Central Insane Asylum: plumbing, electrical equipment; Indiana Village for Epileptics: buildings and equipment; Soldiers' and Sailors' Orphans' Home: coal house; Indiana Girls' School: one new cottage, pumps, air lift and equipment, cow barn and horse barn, storehouse and cold storage; be and the same are hereby continued available for the purposes for which said appropriations were made until September 30, 1910.

The question being, Shall the Engrossed House Amendments to Engrossed Senate Bill No. 557 be concurred in?

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that the Senate concur in Engrossed House Amendments to Engrossed Senate Bill No. 557.

GOODWINE.

Which motion prevailed.

The Secretary was ordered to inform the House that the Senate had concurred in Engrossed House Amendments to Engrossed Senate Bill No. 557.

The President handed down Engrossed Senate Bill No. 552, together with Engrossed House Amendments thereto, as follows:

Engrossed House Amendments to Engrossed Senate Bill No. 552:

That said bill be amended as follows:

By striking out of section one, page three, of the Engrossed Senate bill, the words, in lines 1, 2 and 3, to wit:

“Equipment for new cottage, four thousand dollars; for furnishings for new cottage, three thousand dollars; for completion and.”

The question being, Shall Engrossed House Amendments to Engrossed Senate Bill No. 552 be concurred in?

Senator Goodwine made the following motion:

MR. PRESIDENT:

I move that the Senate concur in Engrossed House Amendments to Engrossed Senate Bill No. 552.

GOODWINE.

Which motion prevailed.

The Secretary was ordered to inform the House that the Senate had concurred in Engrossed House Amendment to Engrossed Senate Bill No. 552.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Engrossed Senate Amendments to Engrossed House Bill No. 734.

M. S. HASTINGS,
Principal Clerk of the House.

The President announced that he had signed Senate Enrolled Acts No. 561 and No. 562; also House Enrolled Act No. 734.

The committee on conference, to which had been referred Engrossed House Amendments to Engrossed Senate Bill No. 551, submitted the following report:

MR. PRESIDENT:

Your committee on conference to consider Engrossed House Amendments to Engrossed Senate Bill No. 551, would respectfully report that they have conferred with the

House Committee and do agree and recommend that the House recede from its amendments.

KIMBROUGH,
CAVINS,
On behalf of the Senate.
JOHNSON,
HANNA,
On behalf of the House.

Which report was concurred in.

And the Secretary was instructed to inform the House that the Senate had concurred in the report of the conference committee to which had been referred Engrossed House Amendments to Engrossed Senate Bill No. 551.

Senator Beardsley offered a copy of a petition signed by 49 ladies, members of the Woman's Christian Temperance Union of Nappanee, Indiana, asking for the passage of a joint resolution in favor of temperance.

Which was referred to the Committee on Public Morals.

Senator Beardsley offered a copy of a petition signed by 352 voters of Elkhart County, asking for the passage of a joint resolution on temperance.

Which was referred to the Committee on Public Morals.

The President handed down a communication signed by Ira Clark, President of the Civic League, and L. D. Braden, President of the Voters' League, of Greensburg, giving an expression of their thanks to the Legislature for passage of County Unit Senate Bill No. 548.

Which communication was referred to the Committee on Public Morals.

On motion of Senator Roemler, the Senate took a recess until 5 o'clock p. m.

The Senate reconvened at 5 o'clock p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in conference report on Engrossed Senate Bill No. 551.

M. S. HASTINGS,
Principal Clerk of the House.

Upon motion of Senator Boyd, the Senate adjourned.

WEDNESDAY MORNING.

September 30, 1908.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Hugh Th. Miller in the chair.

Prayer was offered by the Rev. M. L. Haines, D. D., of the First Presbyterian Church, Indianapolis.

The Journal of Tuesday, September 29th, was ordered read.

The Journal was being read when, upon motion of Senator Pearson, further reading of the same was dispensed with.

Senator Beardsley offered a petition from Elkhart County, signed by 29 persons, favoring state-wide prohibition.

Which was referred to the Committee on Public Morals.

Senator Beardsley offered a petition, signed by thirty-eight citizens of Elkhart County, in favor of prohibition in the State of Indiana.

Which petition was referred to the Committee on Public Morals.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that a committee be appointed to call upon the Governor and ascertain whether or not he has any further communications to make to this Senate.

ROEMLER.

Which motion prevailed.

And the President appointed Senator Cavins, Stotsenburg and Bland as such committee, and it was ordered that they at once interview the Governor.

Upon motion of Senator Roemler, the Senate took a recess until 11 o'clock a. m.

The Senate reconvened at 11 o'clock a. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed:

Senate Enrolled Act No. 551.

Senate Enrolled Act No. 552.

Senate Enrolled Act No. 557.

And the same are herewith returned to the Senate for the signature of the President of the Senate.

M. S. HASTINGS,
Principal Clerk of the House.

The President announced that he had signed Senate Enrolled Acts No. 551, No. 552 and No. 557.

The committee appointed to communicate with the Governor submitted the following report:

MR. PRESIDENT:

Your committee appointed to wait upon the Governor begs leave to report that the Governor has no further communication to send to the Senate.

CAVINS,
BLAND,
STOTSENBURG.

Which report was concurred in.

Senator Roemler offered Senate concurrent resolution No. 14, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved by the Senate, the House concurring, That the time for the sine die adjournment of this special session of the General Assembly be fixed for twelve o'clock noon, September 30, 1908.

ROEMLER.

Which resolution was adopted, and Senate Concurrent Resolution No. 14 was ordered to be engrossed.

The Secretary was instructed to inform the House of the adoption of Engrossed Senate Concurrent Resolution No. 14, and transmit the same to that body for further action.

Senator Goodwine offered Senate Resolution No. 11, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Whereas, Section 6707, Burns' Statutes, 1901, provides that it shall be the duty of the principal secretary of the Senate to make a complete calendar of all bills and joint resolutions pending in the Senate, including those which

have been acted upon during the session, to be filed with the State Librarian, and that said Secretary of the Senate shall make and publish in the Senate Journal a full and complete list and index thereto of all bills and joint resolutions which have been acted upon during the session, and the rules of the Senate have required said Secretary to furnish a calendar of all bills and joint resolutions pending in the Senate; and,

Whereas, Section 6708, Burns' Statutes, 1901, makes it the duty of the Assistant Secretary of the Senate to Superintend the printing of, read and properly index all matters in the Journal and file in the office of Secretary of State such printed and written copies of such Journal; and,

Whereas, There will be at the close of the session a large amount of Journal work which the Journal force has been unable to complete before the adjournment of the session, and said sections provide that the Senate shall make proper allowance to said officers for the services enumerated; be it

Resolved, That Julian D. Hogate, Secretary of the Senate, be allowed the sum of \$100.00 and that Chas. R. Lane, Assistant Secretary of the Senate, be allowed the sum of \$150.00 for the performance of the services above respectively enumerated, and the President of the Senate is hereby authorized to draw his warrants in favor of the above-named officers for said sums of money, payable on completion of the work out of the fund appropriated for the payment of the expenses of this General Assembly.

GOODWINE.

Which resolution was adopted.

Senator Cox offered Senate Resolution No. 12, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Be it resolved, That the sincere thanks of the Senate are herewith extended to the Secretary, Julian D. Hogate, and

to the Assistant Secretary, Charles R. Lane, and to each member of the force of clerks under their charge, for their energy and their fidelity in the discharge of their duties and for their faithful and efficient services during this special session of the Sixty-fifth General Assembly;

To the Chief Doorkeeper, Oliver Jones, and to all his faithful assistants for their courtesy to members of the Senate and to all visitors, and for their diligence in the performance of their duties, and to the representatives of the press for their fairness and impartiality in their treatment of the members of the Senate.

COX.

Which resolution was adopted.

Senator Cavins offered Senate Resolution No. 13, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the thanks of the Senate are hereby extended to the Committee on Enrolled Bills for their efficient and painstaking services at this special session.

CAVINS.

Which resolution was adopted.

Senator Bowser, chairman of the Committee on Enrolled bills, submitted the following report.

MR. PRESIDENT:

Your Committee on Enrolled Acts begs leave to report that it has carefully compared all enrolled acts of the Senate referred to it, and has presented the same to the Governor for his signature.

BOWSER.

Which report was concurred in.

Senator Goodwine offered Senate Resolution No. 14, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Whereas, By his unfailing impartiality and courtesy, the Lieutenant-Governor, as President of the Senate, at this special session has made pleasant the work of each member of the Senate; and,

Whereas, By his wise council and close attention to duty he has greatly facilitated the performance of duty by this session; be it, therefore

Resolved, That we, the members of this special session, hereby tender to him our thanks for his distinguished and kindly services performed during the session.

GOODWINE.

For the purpose of entertaining resolutions thanking the Lieutenant-Governor for his fairness and ability in presiding over the Senate, during this special session of the Sixty-fifth General Assembly, Senator Goodwine, President, pro tempore, of the Senate, took the chair.

Senate Resolution No. 14 was unanimously adopted by rising vote of the Senators present.

The minority members of the Senate offered Senate Resolution No. 15, as follows:

MR. PRESIDENT:

The minority members of the Senate offer Senate Resolution No. 15, as follows:

Whereas, The Hon. Hugh Th. Miller, Lieutenant-Governor of Indiana, has served as presiding officer of this Senate during the present special session with unusual ability and fairness, and has upon all occasions discharged his duties with the strictest fidelity and honor; therefore, be it

Resolved, That we do have and entertain the highest confidence in his integrity and honesty and that we now extend him a vote of thanks for his fairness in the perform-

ance of his duties and his unvarying courtesy and impartiality shown all members of this Senate, regardless of party.

SLACK,
STOTSENBURG,
KISTLER,
BINGHAM,
PATTERSON,
McDOWELL,
PARKS of Clark,
SHAFER,
BENZ,
RANKE,
LAW,
MOSS,
TYNDALL.

Which resolution was unanimously adopted by standing vote of the Senators present.

The President of the Senate responded feelingly to the sentiments expressed in Senate Resolutions No. 14 and No. 15, and resumed the chair.

Upon motion of Senator Roemler, the Senate took a recess until 11:45 o'clock a. m.

The Senate reconvened at 11:45 a. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

Senator Roemler made the following motion:

MR. PRESIDENT:

Inasmuch as the House has taken no action on the Senate concurrent resolution fixing the time of adjournment sine die, I move that when the Senate adjourns, it adjourn until 3 o'clock p. m.

ROEMLER.

Which motion prevailed.

Upon motion of Senator Roemler, the Senate adjourned.

WEDNESDAY AFTERNOON.

September 30, 1908.

The Senate convened at 3:00 o'clock p. m., with Lieutenant-Governor Hugh Th. Miller in the chair.

The following message was received from the Governor:

Executive Department, State of Indiana.

September 30, 1908.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed and approved Senate Enrolled Act No. 552, "An act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Woman's Prison, the Indiana Reformatory, the Indiana Soldiers' Home, and for the custody and preservation of the battle and regimental flags carried by Indiana soldiers in the Civil War, the Mexican War, and the Spanish-American War."

Also, Senate Enrolled Act No. 557, an act relative to appropriations heretofore and hereafter made, and the reversion of unexpended balances to the state treasury at the end of each fiscal year.

Also, Senate Enrolled Act No. 562, an act approving and legalizing the contract between the Board of Commissioners appointed to construct the Southeastern Hospital for the Insane and Pulse and Porter, contractors.

And the same have been filed with the Secretary of State.

Respectfully,

FRED L. GEMMER,
Secretary to the Governor.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has amended Engrossed Senate Concurrent Resolution No. 14, thereby fixing 3:13 p. m. as the time for the sine die adjournment of this special session of the General Assembly, and the same is hereby reported to the Senate for its action thereon.

M. S. HASTINGS,

Principal Clerk of the House.

The question being, Shall the Senate concur in Engrossed House Amendments to Engrossed Senate Concurrent Resolution No. 14?

It was so ordered.

And the Secretary was ordered to inform the House that the Senate had concurred in Engrossed House Amendments to Engrossed Senate Concurrent Resolution No. 14.

Senator Roemler made the following motion:

MR. PRESIDENT:

I move that, inasmuch as the House investigating Committee has, in its finding, done an injustice to our friend and colleague, Senator Wickwire, the President appoint a committee of four to review the evidence submitted to the House Investigating Committee and render a decision thereon in absolute fairness and justice to the accused Senator.

ROEMLER.

Which motion prevailed.

And the President appointed Senators Roemler, Kimbrough, McDowell and Stotsenburg as such committee with such instructions.

Senator Roemler, chairman of the committee appointed to review the evidence in the matter of the accusations of Representative Knisely against Senator Wickwire, submitted the following report:

MR. PRESIDENT:

Your committee appointed to read the evidence taken by the House committee in the matter of the charges made by Representative Knisely against Governor Hanly and Senator Wickwire, would respectfully report that we have had the material parts of the evidence taken at said hearing read to us.

We find there is a direct conflict in the testimony taken at said hearing, Mr. Knisely asserting that an offer was made to him by Senator Wickwire of an office to influence his vote, and Senator Wickwire positively denying that any such offer was made or that any other improper means were used to influence Mr. Knisely's vote.

We believe from the whole testimony read to us and the surrounding circumstances that both Senator Wickwire and Mr. Knisely are honest in their beliefs as to what occurred and was said between them, but that there is a misunderstanding as to the effect of such conversation.

We desire to further report that your committee do not believe that Senator Wickwire intended to make any improper proposal to Mr. Knisely to influence his vote.

ROEMLER,
KIMBROUGH,
STOTSENBURG,
McDOWELL.

Which report was unanimously concurred in.

Senator Roemler offered Senate Resolution No. 16, as follows:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That Miss Emma Messing be allowed the sum of \$3.00 for work done for the Senate committee, and that the Assistant Secretary be instructed to draw his warrant accordingly.

ROEMLER.

Which resolution was adopted.

The Assistant Secretary submitted the following report of expenditures during this special session of the Sixty-fifth General Assembly:

TO THE SENATE:

In obedience to the law, the undersigned submits a detailed report of the warrants drawn by him during the session in favor of members, officers and employes and others, showing the number of warrants drawn, the amount of each warrant and to whom payable; also the number of warrants drawn and to whom payable, as per Senate resolution:

HUGH TH. MILLER, President—

By mileage (not drawn).

By per diem	\$104 00	
		\$104 00
Sept. 30, to warrant No. —.....	\$104 00	
		\$104 00

BEARDSLEY, A. R.—

By mileage	\$62 00	
By per diem	78 00	
		\$140 00
Sept. —, to warrant No. —.....	\$62 00	
Sept. 30, to warrant No. —.....	78 00	
		\$140 00

BENZ, SAMUEL—

By mileage	\$70 00	
By per diem	78 00	
		\$148 00
Sept. —, to warrant No. —.....	\$70 00	
Sept. 30, to warrant No. —.....	78 00	
		\$148 00

BINGHAM, E. VOLNEY—

By mileage	\$64 00	
By per diem	78 00	
		\$142 00
Sept. —, to warrant No. —.....	\$64 00	
Sept. 30, to warrant No. —.....	78 00	
		\$142 00

BLAND, OSCAR E.—

By mileage	\$38 00	
By per diem	78 00	
	<hr/>	\$116 00
Sept. —, to warrant No. —.....	38 00	
Sept. 30, to warrant No. —.....	78 00	
	<hr/>	\$116 00

BOWSER, A. J.—

By mileage	\$75 00	
By per diem	78 00	
	<hr/>	\$153 00
Sept. —, to warrant No. —.....	\$75 00	
Sept. 30, to warrant No. —.....	78 00	
	<hr/>	\$153 00

BOYD, L. D.—

By mileage	\$28 80	
By per diem	78 00	
	<hr/>	\$106 80
Sept. —, to warrant No. —.....	\$28 80	
Sept. 30, to warrant No. —.....	78 00	
	<hr/>	\$106 80

CAVINS, ALEXANDER G.—

By per diem	\$78 00	
	<hr/>	\$78 00
Sept. 30, to warrant No. —.....	\$78 00	
	<hr/>	\$78 00

COX, LINTON A.—

By per diem	\$78 00	
	<hr/>	\$78 00
Sept. 30, To warrant No. —.....	\$78 00	
	<hr/>	\$78 00

CRUMPACKER, DANIEL L.—

By mileage	\$62 80	
By per diem	78 00	
	<hr/>	\$140 80
Sept —, To warrant No. —.....	\$62 80	
Sept. 30, To warrant No. —.....	\$78 00	
	<hr/>	\$140 80

DURRE, EDGAR—

By mileage	\$72 80	
By per diem	78 00	
	<hr/>	\$150 80
Sept. —, to warrant No. —.....	\$72 80	
Sept. 30, to warrant No. —.....	78 00	
	<hr/>	\$150 80

FORKNER, GEO. D.—

By mileage	\$17 60	
By per diem	78 00	
	<hr/>	\$95 60
To warrant No. 706	\$17 60	
To warrant No. 753	78 00	
	<hr/>	\$95 60

GANIARD, SIDNEY K.—

By mileage	\$84 00	
By per diem	78 00	
	<hr/>	\$162 00
To warrant No. 707	\$84 00	
To warrant No. 754	78 00	
	<hr/>	\$162 00

GONNERMANN, WILLIAM—

By mileage	\$80 80	
By per diem	78 00	
	<hr/>	\$158 80
To warrant No. 708	\$80 80	
To warrant No. 755	78 00	
	<hr/>	\$158 80

GOODWINE, FREMONT—

By mileage	\$35 60	
By per diem	78 00	
	<hr/>	\$113 60
To warrant No. 709	\$35 60	
To warrant No. 756	78 00	
	<hr/>	\$113 60

HANNA, GEORGE E.—

By mileage	\$19 20	
By per diem	78 00	
	<hr/>	\$97 20
Sept. —, warrant No. —.....	\$19 20	
Sept. 30, warrant No. —.....	78 00	
	<hr/>	\$97 20

HAWKINS, NATHAN B.—

By mileage	\$33 20	
By per diem	78 00	
	<hr/>	\$111 20
Sept. —, warrant No. —.....	\$33 20	
Sept. 30, warrant No. —.....	78 00	
	<hr/>	\$111 20

HUGG, MARTIN M.—

By per diem	\$78 00	
	<hr/>	\$78 00
Sept. 30, warrant No. —.....	\$78 00	
	<hr/>	\$78 00

KIMBROUGH, CHARLES M.—

By mileage	\$22 80	
By per diem	78 00	
	<hr/>	\$100 80
Sept. —, warrant No. —.....	\$22 80	
Sept. 30, warrant No. —.....	78 00	
	<hr/>	\$100 80

KIRKMAN, ROSCOE E.—

By mileage	\$28 00	
By per diem	78 00	
	<hr/>	\$106 00
Sept. —, warrant No. —.....	\$28 00	
Sept. 30, warrant No. —.....	78 00	
	<hr/>	\$106 00

KISTLER, FRANK M.—

By mileage	\$32 00	
By per diem	78 00	
		———— \$110 00
Sept. —, warrant No. —.....	\$32 00	
Sept. 30, warrant No. —.....	78 00	
		———— \$110 00

KITTINGER, WILLIAM A.—

By mileage	\$14 80	
By per diem	78 00	
		———— \$92 80
To warrant No. 715	\$14 80	
To warrant No. 763.....	78 00	
		———— \$92 80

KLING, EDGAR A. POE—

By mileage	\$30 00	
By per diem	78 00	
		———— \$108 00
To warrant No. 716.....	\$30 00	
To warrant No. 764.....	78 00	
		———— \$108 00

KOEHNE, ARMIN C.—

By mileage (none).		
By per diem	\$78 00	
		———— \$78 00
To warrant No. 765.....	\$78 00	
		———— \$78 00

LANE, EMPSON T.—

By mileage	\$11 60	
By per diem	78 00	
		———— \$89 60
To warrant No. 717.....	\$11 60	
To warrant No. 766.....	78 00	
		———— \$89 60

LAW, A. J.—

By mileage	\$59 20	
By per diem	78 00	
	<hr/>	\$137 20
To warrant No. 719.....	\$59 20	
To warrant No. 796.....	78 00	
	<hr/>	\$137 20

McCALLUM, DONALD—

By mileage	\$24 80	
By per diem	78 00	
	<hr/>	\$102 80
To warrant No. 718.....	24 80	
To warrant No. 767.....	78 00	
	<hr/>	\$102 80

McDOWELL, M. M.—

By mileage	\$48 00	
By per diem	78 00	
	<hr/>	\$126 00
To warrant No. 720.....	\$48 00	
To warrant No. 768.....	78 00	
	<hr/>	\$126 00

MATTINGLY, EZRA—

By mileage	\$44 80	
By per diem	78 00	
	<hr/>	\$122 80
To warrant No. 721.....	\$44 80	
To warrant No. 769.....	78 00	
	<hr/>	\$122 80

MOCK, EVERY A.—

By mileage	\$16 00	
By per diem	78 00	
	<hr/>	\$94 00
To warrant No. 722.....	\$16 00	
To warrant No. 770.....	78 00	
	<hr/>	\$94 00

MOORE, E. E.—

By mileage	\$23 60	
By per diem	78 00	
	<hr/>	\$101 60
To warrant No. 723.....	\$23 60	
To warrant No. 771.....	78 00	
	<hr/>	\$101 60

MOORE, THOMAS T.—

By mileage	\$16 00	
By per diem	78 00	
	<hr/>	\$94 00
To warrant No. 724.....	\$16 00	
To warrant No. 772.....	78 00	
	<hr/>	\$94 00

MOSS, RALPH W.—

By mileage	\$26 40	
By per diem	78 00	
	<hr/>	\$104 40
To warrant No. 725.....	\$26 40	
To warrant No. 773.....	78 00	
	<hr/>	\$104 40

ORNDORF, JOHN W.—

By mileage	\$54 00	
By per diem	78 00	
	<hr/>	\$132 00
To warrant No. 726.....	\$54 00	
To warrant No. 774.....	78 00	
	<hr/>	\$132 00

PARKS, FLOYD—

By mileage	\$43 20	
By per diem	78 00	
	<hr/>	\$121 20
To warrant No. 727.....	\$43 20	
To warrant No. 775.....	78 00	
	<hr/>	\$121 20

PARKS, JOHN W.—

By mileage	48 80	
By per diem	78 00	
	————	\$126 80
To warrant No. 728.....	\$48 80	
To warrant No. 776.....	78 00	
	————	\$126 80

PATTERSON, EVAN L.—

By mileage	\$48 00	
By per diem	78 00	
	————	\$126 00
To warrant No. 729.....	\$48 00	
To warrant No. 777.....	78 00	
	————	\$126 00

PEARSON, HENRY P.—

By mileage	\$60 00	
By per diem	78 00	
	————	\$138 00
To warrant No. 730.....	\$60 00	
To warrant No. 778.....	78 00	
	————	\$138 00

PELZER, CLAMOR—

By mileage	\$81 60	
By per diem	78 00	
	————	\$159 60
To warrant No. 731.....	\$81 60	
To warrant No. 779.....	78 00	
	————	\$159 60

RANKE, WILLIAM F.—

By mileage	\$54 40	
By per diem	78 00	
	————	\$132 40
To warrant No. 732.....	\$54 40	
To warrant No. 780.....	78 00	
	————	\$132 40

ROEMLER, CHARLES O.—

By mileage (none).		
By per diem	\$78 00	
	<hr/>	\$78 00
To warrant No. 785.....	\$78 00	
	<hr/>	\$78 00

SHAFFER, BURTNEY W.—

By mileage	\$26 00	
By per diem	78 00	
	<hr/>	\$104 00
To warrant No. 733.....	\$26 00	
To warrant No. 786.....	78 00	
	<hr/>	\$104 00

SLACK, L. ERT—

By mileage	\$10 00	
By per diem	78 00	
	<hr/>	\$88 00
To warrant No. 734.....	\$10 00	
To warrant No. 787.....	78 00	
	<hr/>	\$88 00

SPRINGER, WILLIAM E.—

By mileage	\$19 20	
By per diem	78 00	
	<hr/>	\$97 20
To warrant No. 735.....	\$19 20	
To warrant No. 780.....	78 00	
	<hr/>	\$97 20

STEPHENSON, ROME C.—

By mileage	\$39 20	
By per diem	78 00	
	<hr/>	\$117 20
To warrant No. 736.....	\$39 20	
To warrant No. 781.....	78 00	
	<hr/>	\$117 20

STOTSENBURG, E. B.—

By mileage	\$46 00	
By per diem	78 00	
	<hr/>	\$124 00
To warrant No. 737.....	\$46 00	
To warrant No. 782.....	78 00	
	<hr/>	\$124 00

STRANGE, JOHN T.—

By mileage	\$28 00	
By per diem	78 00	
	<hr/>	\$106 00
To warrant No. 738.....	\$28 00	
To warrant No. 791.....	78 00	
	<hr/>	\$106 00

TYNDALL, JOHN W.—

By mileage	\$56 00	
By per diem	78 00	
	<hr/>	\$134 00
To warrant No. 739.....	\$56 00	
To warrant No. 792.....	78 00	
	<hr/>	\$134 00

WICKWIRE, THOS. S.—

By mileage	\$72 00	
By per diem	78 00	
	<hr/>	\$150 00
To warrant No. 740.....	\$72 00	
To warrant No. 793.....	78 00	
	<hr/>	\$150 00

WOOD, CARL E.—

By mileage	\$24 00	
By per diem	78 00	
	<hr/>	\$102 00
To warrant No. 741.....	\$24 00	
To warrant No. 794.....	78 00	
	<hr/>	\$102 00

WOOD, WILLIAM R.—

By mileage	\$25 60	
By per diem	78 00	
		————— \$103 60
To warrant No. 742.....	\$25 60	
To warrant No. 795.....	78 00	
		————— \$103 60

PER DIEM OF OFFICERS OF SENATE.

Julian D. Hogate, Principal Secretary.....	\$78 00
Chas. R. Lane, Assistant Secretary.....	78 00
Oliver Jones, Principal Doorkeeper	78 00

PER DIEM OF EMPLOYES.

Of Principal Secretary	\$1,196 00
Of Assistant Secretary	390 00
Of Principal Doorkeeper	572 00
To Principal Secretary for indexing calendar..	100 00
To Assistant Secretary for completing Journal of Senate, indexing and proofreading Journal..	150 00
To warrant No. 835 for postage	30 00
To warrant No. 840 to Emma Messing, stenog- rapher	3 00

Senator Kling, chairman of the Committee on Inspection of the Journal, made the following report:

MR. PRESIDENT:

Your Committee on Inspection of the Journal begs leave to report that they have carefully inspected the Journal, and find it correct.

KLING, Chairman.

Which report was concurred in.

The time of 3:13 p. m. having arrived, that being the time fixed by Engrossed Senate Concurrent Resolution No. 14 for adjournment sine die.

Senator Slack moved that the Senate adjourn sine die.

Which motion prevailed.

And Lieutenant-Governor Hugh Th. Miller declared the special session of the Senate of the Sixty-fifth General Assembly of the State of Indiana adjourned sine die.

APPENDIX.

SIXTY-FIFTH
GENERAL ASSEMBLY OF INDIANA

SPECIAL SESSION

Senate Calendar

OF ALL

BILLS AND JOINT RESOLUTIONS

PENDING IN THE SENATE

AT THE

CLOSE OF THE SESSION.

INDIANAPOLIS:
WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING
1908

OFFICERS OF SENATE.

Lieutenant-Governor and President,

HUGH TH. MILLER.

President Pro Tem.,

FREMONT GOODWINE.

Principal Secretary,

JULIAN D. HOGATE.

Assistant Secretary,

CHARLES R. LANE.

Doorkeeper,

OLIVER JONES.

Reading Clerk,

T. J. WRIGHT.

Chief Engrossing Clerk,

W. S. LOCKMAN.

Chief Journal Clerk,

OTTO E. DEAL.

File Clerk,

HUBERT E. HARTMAN.

Registry Clerk,
WALTER WILLS.

Endorsing Clerk,
HARRY CLEARWATERS.

Roll Clerk,
HARRY CALKINS.

Secretary's Enrolling Force,
W. S. LOCKMAN, Chief.
C. O. COWLEY.
L. R. ELDER.
D. L. SHINNAMAN.
A. R. JACOBS.
BERT JOHNSON.
ROY SHENNEMAN.

ASSISTANT SECRETARY'S FORCE.

Minute Clerk,
A. M. REED.

JOURNAL CLERKS.
OTTO E. DEAL, Chief.
THURA BOWSER.
FRANK BOYD.
R. M. WADDELL.
W. H. CONGER.

Senate Postmaster,
J. W. THORNBURG.

SENATE STANDING COMMITTEES.

GROUP 1. ROOM 83.

Finance.

Senators Goodwine, Beardsley, Crumpacker, Kirkman, T. T. Moore, Boyd, McCallum, Benz, and McDowell.

Cities and Towns.

Senators W. R. Wood, Kirkman, Pearson, Bowser, Hawkins, Kistler and Stotsenburg.

City of Indianapolis.

Senators Cox, Hugg, Roemler, Koehne, Boyd, C. E. Wood and Stotsenburg.

Public Rights and Franchises.

Senators Mattingly, Boyd, Kirkman, E. E. Moore, Law, Tyndall and Bingham.

GROUP 2. ROOM 29.

Corporations.

Senators Cavins, Beardsley, Hugg, Pelzer, T. T. Moore, Cox, Hawkins, Moss and Stotsenburg.

Banks, Trust Companies and Savings Associations.

Senators Ganiard, Lane, Hawkins, Gonnermann, Springer, Slack and Stotsenburg.

Fees and Salaries.

Senators Kirkman, Mattingly, Lane, J. W. Parks, Koehne, Orndorf, Hanna, McCallum, Bowser, Gonnermann, F. Parks, Shafer and Tyndall.

GROUP 3. ROOM 83.**Judiciary A.**

Senators Stephenson, J. W. Parks, Kirkman, Ganiard, E. E. Moore, Wickwire, Pearson, Mattingly, Forkner, Slack and Stotsenburg.

Organization of Courts.

Senators Beardsley, Ganiard, Lane, Roemler, Pearson. Benz and Slack.

Education.

Senators T. T. Moore, Goodwine, Pelzer, E. E. Moore, Kling, Slack and Moss.

GROUP 4. ROOM 121.**Benevolent Institutions.**

Senators Kimbrough, Cavins, Wickwire, Hanna, Forkner, C. E. Wood and Tyndall.

Prisons.

Senators Hawkins, Crumpacker, Kimbrough, Mock, Hanna, Patterson and F. Parks.

Claims and Expenditures.

Senators Hawkins, Hanna, Gonnermann, Lane, J. W. Parks, Benz and Bingham.

Reformatories.

Senators Springer, Lane, Kimbrough, W. R. Wood, Hanna, F. Parks and Ranke.

GROUP 5. ROOM 70.**Judiciary B.**

Senators Roemler, Cavins, T. T. Moore, Boyd, Durre, W. R. Wood, Kling, Bland, Orndorf, C. E. Wood, Kistler.

County and Township Business.

Senators J. W. Parks, Cox, E. E. Moore, Bowser, Hanna, Forkner, Hawkins, Moss, Tyndall, Law and Stotsenburg.

Public Health.

Senators Kirkman, Mock, Orndorf, Hugg, McDowell, Law and Patterson.

GROUP 6. ROOM 31.

Roads.

Senators Pelzer, Crumpacker, W. R. Wood, McCallum, Hanna, Benz and Patterson.

Agriculture.

Senators Hanna, Crumpacker, Goodwine, Gonnermann, Pelzer, Moss and Tyndall.

Public Printing.

Senators McCallum, E. E. Moore, Stephenson, Springer, Kling, Benz and F. Parks.

Insurance.

Senators Boyd, Beardsley, Mock, T. T. Moore, Gan-
iard, Mattingly, McCallum, Moss and Slack.

Railroads.

Senators Crumpacker, Goodwine, Stephenson, Boyd, Pelzer, Bland, Springer, Moss and Tyndall.

GROUP 7. ROOM 108.

Elections.

Senators Hugg, Roemler, Bland, Cox, Bowser, Springer, Strange, Slack and Kistler.

Phraseology of Bills and Unfinished Business.

Senators Pearson, Boyd, Roemler, Stephenson, Fork-
ner, Stotsenburg and Kistler.

Mines and Mining.

Senators Durre, Pelzer, Cavins, Bland, Hanna, Moss
and McDowell.

Labor.

Senators Wickwire, Pelzer, Bowser, Gonnermann, Law,
Shafer and Patterson.

Natural Resources.

Senators Strange, Durre, Kittinger, Goodwine, Parks,
Law and Bingham.

Criminal Code.

Senators Kittinger, Mock, Hugg, Cox, Strange, Bingham
and Kistler.

GROUP 8. ROOM 77.

Public Libraries.

Senators Strange, Cavins, Kimbrough, Stephenson, Orndorf, Tyndall and Ranke.

Swamp Lands and Drains.

Senators Lane, Beardsley, Mock, Kling, Strange, Kistler and Tyndall.

Military Affairs.

Senators Forkner, Durre, W. R. Wood, Roemler, Pearson, Ranke and McDowell.

Federal Relations.

Senators Mattingly, Kimbrough, Boyd, Ganiard, Cox, Benz and C. E. Wood.

Public Morals.

Senators Mock, T. T. Moore, Ganiard, Mattingly, Springer, Moss and Bingham.

Manufactures.

Senators Gonnermann, Kimbrough, Strange, Kittinger, Forkner, Ranke and McDowell.

Rights and Privileges.

Senators Koehne, Cavins, Kittinger, Roemler, W. R. Wood, Kistler and C. E. Wood.

Mileage and Accounts.

Senators Springer, Koehne and Patterson.

Telephones and Telegraphs.

Senators E. E. Moore, Beardsley, Wickwire, Kimbrough, Orndorf, McDowell and Ranke.

Congressional Apportionment.

Senators Forkner, J. W. Parks, T. T. Moore, Mock, Crumpacker, Koehne, Bland, Gonnermann, Hawkins, Orndorf, C. E. Wood, F. Parks and Shafer.

Legislative Apportionment.

Senators Orndorf, W. R. Wood, Kittinger, Hugg, Lane, Stephenson, E. E. Moore, T. T. Moore, Durre, Strange, McDowell, F. Parks and C. E. Wood.

Supervision and Inspection of the Journal.

Senators Kling, Forkner, McCallum, Pearson, Patterson, Law and Bingham.

Executive Appointments.

Senators Pearson, Crumpacker, Durre, Gonnermann, Wickwire, Shafer and McDowell.

Rivers and Waters.

Senators Kling, Beardsley, Durre, J. W. Parks, Bowser, Benz and Shafer.

Rules.

The Lieutenant-Governor, Senators Goodwine, Stephenson, Cavins, Kirkman, Slack and C. E. Wood.

Constitutional Revision.

Senators Bland, Kittinger, Ganiard, J. W. Parks, Cox, Bingham and Patterson.

Soldiers' and Sailors' Monument.

Senators McCallum, Beardsley, Hugg, Koehne, Lane, Stotsenburg and Shafer.

SENATE JOINT COMMITTEES.

Enrolled Bills.

Senators Bowser, Kling and Ranke.

Public Buildings.

Senators Bland, Wickwire and Shafer.

State Library.

Senators Bowser, Goodwine and Ranke.

Rules.

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SENATE BILLS.

No.	Date Introduced.	Subject Matter.	Author.	Date of Last Action.	Condition of Bill.
547	Sept. 19....	A bill for an act to legalize the incorporation of the town of Munster and all acts and ordinances of the board of trustees of said town.	Bowser	Sept. 19....	Referred to Committee on Judiciary A.
548	Sept. 19	A bill for an act entitled an act to better regulate, restrict and prohibit the sale of intoxicating liquors and providing for local option elections.	Cox	Sept. 28....	Signed by Governor.
549	Sept. 19....	A bill for an act to repeal an act to amend sections 70 and 75 of an act entitled "An act concerning highways"	Hawkins	Sept. 19....	Referred to Committee on Roads.
550	Sept. 19....	A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officials, defining their powers and appropriating money for the compensation and expense of such officers, and to protect the tobacco-growing industry of Indiana, and declaring an emergency.	Kimbrough	Sept. 26....	Referred to House.

551	Sept. 19	A bill for an act to provide for the protection of tobacco growers and fixing a penalty for the destruction of or injury to tobacco or the interference with the growing thereof and declaring an emergency.	Kimbrough	Sept. 30	Signed by President.
552	Sept. 19	A bill for an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Womans' Prison and the Indiana Reformatory and declaring an emergency.	Kirkman	Sept. 30	Signed by Governor.
553	Sept. 19	A bill for an act in relation to salaries of city officers in cities of the third, fourth and fifth classes, repealing all laws in conflict herewith and declaring an emergency.	Kittinger	Sept. 19	Referred to Committee on Fees and Salaries.
554	Sept. 19	A bill for an act to amend Sections 215, 218, 219 and 220 of an act entitled an act concerning municipal corporations approved March 6, 1905, and declaring an emergency.	Kittinger	Sept. 19	Referred to Committee on Cities and Towns.
555	Sept. 19	A bill for an act approving and legalizing the contract made between the board of commissioners appointed to construct the Southeastern Hospital for the Insane and Pulzler and Porter contractors, and making an additional appropriation to complete such hospital.	McCallum	Sept. 19	Referred to Committee on Finance.

SENATE BILLS—Continued.

No	Date Introduced	Subject Matter	Author.	Date of Last Action.	Condition of Bill.
556	Sept. '9...	A bill for an act for the further regulation, restriction and control of the liquor traffic, repealing all conflicting laws, and supplementing existing laws not in conflict herewith and declaring an emergency.	Mattingly.....	Sept. 22.....	Engrossed.
557	Sept. 19...	A bill for an act relative to appropriations heretofore and hereafter made and the revision of unexpended balances to the State treasury at the close of each fiscal year.	T. T. Moore	Sept. 30.....	Signed by Governor.
558	Sept. 19....	A bill for an act to amend section 2 of an act entitled "An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines and matters connected therewith, and providing penalties and repealing all laws in conflict therewith," approved March 9, 1907, and declaring an emergency.	Moss	Sept. 19.....	Referred to Committee on Mines and Mining.

559	Sept. 19	A bill for an act to amend sections 2 and 13 of an act entitled "An act to amend sections 2, 5, 7, 10 and 13 of an act to regulate the speed of operation and registration of locomotives, automobiles, motorcycles and other motor vehicles upon public highways, and providing penalties," approved March 12, 1907.	Kittinger	Sept. 19	Referred to Committee on Criminal Code.
560	Sept. 21	A bill for an act to provide for the custody and preservation of all the battle flags carried by any organization of Indiana soldiers in the civil war of 1861-1865, the Mexican war and the Spanish-American war and the purchase of cases for such flags, and designating a place in the State house for such cases and flags, and placing the same in charge of the custodian of the State house building. Appropriating twelve thousand dollars (\$12,000) for mounting the flags, and the purchase of cases for such flags, and providing for a board to be appointed by the Governor to expend said money. Repealing all laws or parts of laws in conflict with this act and declaring an emergency.	Goodwine	Sept. 21	Referred to Committee on Finance.

SENATE BILLS—Continued.

No.	Date Introduced.	Subject Matter.	Author.	Date of Last Action.	Condition of Bill.
561	Sept. 22....	A bill for an act entitled an act to amend section two (2) of an act entitled an act concerning coal mines and to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties and repealing all laws in conflict therewith, approved March 9, 1907.	Bland	Sept. 29....	Signed by President.
562	Sept. 25...	A bill for an act providing and legalizing the contract made between the Board of Commissioners appointed to construct the Southeastern Hospital for the Insane and Pulzer and Porter, contractors, and reappropriating and combining in one general fund the balance remaining unexpended September 30, 1908, of all specific appropriations provided for said hospital.	Goodwine.....	Sept. 29...	Signed by Governor.

SENATE JOINT RESOLUTION.

No.	Date Introduced.	Subject Matter.	Author.	Date of Last Action.	Condition of Bill.
13	Sept 24....	A joint resolution that the members of Congress from the State of Indiana are requested to support legislation in Congress, etc.	Hawkins.....	Sept. 26....	Reported favorably.

SENATE CONCURRENT RESOLUTIONS.

No.	Date Introduced.	Subject Matter.	Author.	Date of Last Action.	Condition of Bill.
13	Sept 25....	That the time when the Special Session shall adjourn sine die shall be fixed for the hour of twelve o'clock noon on September 26, 1908.	Slack.....	Sept 25....	Motion to table prevailed. Ayes, 31; noes, 14.
14	Sept. 30....	The time for adjournment sine die shall be 12 o'clock noon, September 30, 1908.	Roemler	Sept. 30....	Senate concurs in House amendment.

CONDITION
OF
House Bills,
Concurrent and
Joint Resolutions
IN THE
SENATE.

HOUSE BILLS IN SENATE.

No.	Received from House	Subject Matter.	Author.	Date of Last Action.	Condition of Bills.
722	Sept. 24....	A bill for an act to appropriate forty thousand dollars (\$40,000.00) to defray the expenses of the special session of the 63th General Assembly and declaring an emergency.	Condo	Sept. 26....	Returned to House.
725	Sept. 24....	A bill for an act to legalize the incorporation of the town of Munster and all acts and ordinances of the board of trustees of said town	Dwyer,	Sept. 24....	Referred to Committee on Judiciary B.
734		A bill for an act entitled an act to amend section 2 of an act entitled an act	Johnson,	Sept. 29....	Passed and returned to House.

HOUSE JOINT RESOLUTIONS.

No.	Received from House.	Subject Matter.	Author.	Date of Last Action.	Condition of Resolution.
7	Sept. 26. . . .	Proposing an amendment to the constitution of the State of Indiana, prohibiting the manufacture and sale of intoxicating liquor.	Pierson	Sept. 28	Indefinitely postponed.

HOUSE CONCURRENT RESOLUTIONS.

No.	Received from House.	Subject Matter.	Author.	Date of Last Action.	Condition of Resolution.
		A concurrent resolution for Congress to make the necessary appropriation for the survey and construction of a ship canal, etc.	Fruechtenicht...,	Sept 26....	Returned to House with amendments.

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"Whereas at the National Conference on Trusts and Combinations under the auspices of the National Civic Federation, held at Chicago, October 22-25, 1907, that conference recommended that 'Congress without delay pass legislation for a non-partisan commission, in which the interests of capital, of labor and of the general public shall be represented. This commission like a similar commission, which proved most successful in Germany in 1870, shall consider the entire subject of business and industrial combinations and report such proposals as to the formation, capitalization, management and regulation of corporations (as far as the same may be subject to Federal jurisdiction) as shall preserve individual initiative, competition and the free exercise of a free contract in all business and industrial relations,' and

"Whereas, Said conference recommended legislation to modify the prohibition now existing upon combinations on the following subjects: 1. National and local organization of labor and their trade agreements with employers relating to wages, hours of labor and conditions of employment. 2. Associations made up of farmers, intended to secure a stable and equitable market for the products of the soil free from fluctuations due to speculation. 3. Business and industrial agreements or combinations whose objects are in the public interest as distinguished from objects determined to be contrary to the public interest. 4. Such commission to make a thorough inquiry into the advisability of inaugurating a system of federal license or incorporation as a condition for the entrance of certain classes of corporations upon interstate commerce and also into the relation to the public interest of the purchase by one corporation of the franchise or corporate stock of another. Now be it

"Resolved, by the General Assembly of the State of Indiana, That the members of the Congress from the State of Indiana are requested to support legislation offered in Congress to carry out the above plan submitted by the National Conference on Trusts and Combinations and that this resolution, duly authenticated, shall be delivered to the House of Representatives and with the request that the same shall be laid before their respective bodies."

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SENATE BILLS.

No. 547. Introduced by SENATOR BOWSER, September 19, 1908—

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"A bill for an act to legalize the incorporation of the town of Munster, and all acts and ordinances of the board of trustees of said town."	
Read first time and referred to Committee on Judiciary A.....	28

No. 548. Introduced by SENATOR COX, September 19, 1908—

"A bill for an act entitled 'An act to better regulate, restrict and prohibit the sale of intoxicating liquors and providing for local option elections.'"	
Read first time and referred to Committee on Public Morals.....	28
Majority report favorable with amendments concurred in.....	40
Read second time, amendments adopted and ordered engrossed.....	45
Made special order	53
Read third time, amended and passed.....	56-67
Title amended	67
Passed by House	103
Signed by Speaker	111
Signed by President of Senate	112
Signed by Governor	116

No. 549. Introduced by SENATOR HAWKINS, September 19, 1908—

"A bill for an act to repeal 'An act to amend sections 70 and 75 of an act entitled an act concerning highways, approved March 8, 1905,' approved February 25, 1907."	
Read first time and referred to Committee on Roads.....	28
Motion ordering committee to report laid on table.....	116

No. 550. Introduced by SENATOR KIMBROUGH, September 19, 1908—

"A bill for an act entitled an act authorizing the Governor of the State to appoint secret service officers, defining their powers, and appropriating money for the compensation and expense of such officers, and to protect the tobacco-growing industry of Indiana, and declaring an emergency."	
Read first time and referred to Committee on Finance.....	29
Reported favorably with amendments.....	85
Read second time, amendments adopted and ordered engrossed.....	89
Read third time and passed.....	102
Title amended	102

No. 551. Introduced by SENATOR KIMBROUGH, September 19, 1908—

"A bill for an act entitled an act to provide for the protection of tobacco growers, and fixing a penalty for the destruction of or the injury to tobacco, or the interference with the growing thereof and declaring an emergency."	
Read first time and referred to Committee on Agriculture.....	29
Reported favorably with amendments.....	84
Read second time, amendments adopted and ordered engrossed.....	90

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Read third time, amended and passed.....	99
Title amended	101
Passed by House with amendments.....	122
Senate refuses to concur in amendments.....	123
Conference committee appointed.....	123
House conference committee.....	127
Report of conference committee concurred in.....	129
House concurs in report of conference committee.....	131
Signed by Speaker	132
Signed by President of Senate	132

No. 552. Introduced by SENATOR KIRKMAN, September 19, 1908—

"A bill for an act entitled an act making appropriations for the Indiana Boys' School, the Indiana Girls' School, the Indiana Women's Prison, the Indiana Reformatory, and declaring an emergency."

Read first time and referred to Committee on Finance.....	29
Reported favorably	86
Read second time, amended and ordered engrossed.....	90
Read third time, amended and passed.....	103
Title amended	108
Passed by House with amendments.....	126
Senate concurs in House amendments.....	129
Signed by Speaker	132
Signed by President of Senate	132
Signed by Governor	138

No. 553. Introduced by SENATOR KITTINGER, September 19, 1908—

"A bill for an act in relation to salaries of city officers in cities of the third, fourth and fifth classes, repealing all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Cities and Towns.....	29
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No. 554. Introduced by SENATOR KITTINGER, September 19, 1908—

"A bill for an act to amend sections 215, 218, 219 and 220 of an act entitled 'An act concerning municipal corporations, approved March 6, 1905,' and declaring an emergency."

Read first time and referred to Committee on Cities and Towns.....	30
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No. 555. Introduced by SENATOR McCALLUM, September 19, 1908—

"A bill for an act entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the South-eastern Hospital for the Insane and Pulse & Porter, contractors, and making an additional appropriation to complete such hospital."

Read first time and referred to Committee on Finance.....	30
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No. 556. Introduced by SENATOR MATTINGLY, September 19, 1908—

"A bill for an act for the further regulation, restriction and control of the liquor traffic, repealing all conflicting laws and supplementing existing laws not in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Public Morals.....	30
Majority report favorable concurred in.....	42
Read second time, amendments adopted and ordered engrossed.....	45

No. 557. Introduced by SENATOR MOORE, of Putnam, September 19, 1908—

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"A bill for an act entitled an act relative to appropriations heretofore and hereafter made and the reversion of unexpended balances to the State Treasury at the close of each fiscal year."

Read first time and referred to Committee on Finance.....	30
Reported favorably	68
Read second time and ordered engrossed.....	89
Read third time, amended and passed.....	97
Title amended	99
Passed by House with amendments.....	126
Senate concurs in House amendments	127
Signed by Speaker	132
Signed by President of Senate	132
Signed by Governor	138

No. 558. Introduced by SENATOR MOSS, September 19, 1908—

"A bill for an act to amend section 2 of an act entitled 'An act concerning coal mines,' etc., and declaring an emergency."

Read first time and referred to Committee on Mines and Mining.....	31
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No. 559. Introduced by SENATOR KITTINGER, September 19, 1908—

"A bill for an act to amend sections 2 and 13 of an act entitled 'An act to amend sections 2, 5, 7, 10 and 13 of an act entitled "An act to regulate the speed, operation and registration of locomobiles, automobiles, motor-cycles, and other motor vehicles upon public highways, and providing penalties," approved March 12, 1907.'"

Read first time and referred to Committee on Criminal Code.....	31
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No. 560. Introduced by SENATOR GOODWINE, September 21, 1908—

"A bill for an act to provide for the custody and preservation of all the battle flags and regimental flags carried by any organization of Indiana soldiers in the Civil War of 1861-65, the Mexican War and the Spanish-American War, and the purchase of cases for such flags and designating a place in the State House for such cases and flags and placing the same in charge of the custodian of the State House building, appropriating \$12,000 for mounting the flags and the purchase of cases for such flags, and providing for a board to be appointed by the Governor to expend said money, repealing all laws or parts of laws in conflict with this act and declaring an emergency."

Read first time and referred to Committee on Finance.....	39
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No. 561. Introduced by SENATOR BLAND, September 22, 1908—

"A bill for an act entitled an act to amend section 2 of an act entitled 'An act concerning coal mines, and to provide for the health and safety of persons employed in coal mines and matters connected therewith and providing penalties and repealing all laws in conflict therewith,' approved March 9, 1907."

Read first time and referred to Committee on Mines and Mining.....	50
Reported favorably with amendments.....	87
Read second time, amendments adopted and ordered engrossed.....	89
Read third time and passed.....	108
Passed by House	124
Signed by Speaker	127
Signed by President of Senate	129

No. 562. Introduced by SENATOR GOODWINE, September 25, 1908—

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"A bill for an act to be entitled an act approving and legalizing the contract made between the board of commissioners appointed to construct the Southeastern Hospital for the Insane and Pulse & Porter, contractors, and reappropriating and combining in one general fund the balances remaining unexpended September 30, 1908, of all specific appropriations provided for said hospital, and declaring an emergency."

Read first time and referred to Committee on Finance.....	87
Reported favorably	94
Constitutional rule suspended, bill read second time and ordered engrossed	95
Read third time and passed.....	96
Passed by House	121
Signed by Speaker	127
Signed by President of Senate	129
Signed by Governor	138

HOUSE BILLS IN SENATE.

No. 722.—Introduced by MR. CONDO, September 21, 1908—

Page

"A bill for an act to appropriate \$40,000 to defray the expenses of the special session and declaring an emergency."

Received from House	51
Read first time and referred to Committee on Finance.....	70
Reported favorably	86
Read second time and passed to third reading.....	94
Read third time and passed	109
Signed by Speaker	112
Signed by President of Senate.....	112

No. 725. Introduced by MR. DWYER, September 21, 1908—

"A bill for an act to legalize the incorporation of the town of Munster and all acts and ordinances of the board of trustees of said town."

Received from House.....	51
Read first time and referred to Committee on Judiciary B.....	71

No. 734. Introduced by MR. JOHNSON, September 23, 1908—

"A bill for an act to amend an act to amend section 2 of an act entitled 'An act concerning coal mines, to provide for the health and safety of persons employed in coal mines, and matters connected therewith, and providing penalties and repealing all laws in conflict therewith,' approved March 9, 1907."

Received from House	113
Read first time and referred to Committee on Mines and Mining.....	113
Reported favorably	119
Read second time and ordered to third reading.....	120
Amended	120
Constitutional rule suspended and bill passed.....	124
Title amended	125
House concurs in Senate amendments.....	129
Signed by President of Senate	129

HOUSE CONCURRENT RESOLUTIONS IN SENATE.

No. 6. Introduced by MR. FREUCHTENICHT, September 21, 1908—

Page

"A concurrent resolution memorializing congress to make necessary appropriations for the survey and construction of a ship canal connecting Lake Erie and Lake Michigan by way of Ft. Wayne, following the route of the Maumee River."

Received from House 52
Amended and adopted 72

HOUSE JOINT RESOLUTIONS IN SENATE.

No. 7. Introduced by MR. PIERSON, September 21, 1908—

Page

"A joint resolution proposing an amendment to the constitution of the State of Indiana, by inserting article 17, forever prohibiting the manufacture, sale or keeping for sale in the State of Indiana, spirituous, vinous, malt and any intoxicating liquors except for scientific, medical, mechanical and sacramental purposes and providing for regulating sales for said purposes."

Referred to Committee on Judiciary A with instructions..... 112
Motion to refer to Attorney-General laid on table..... 114
Majority report for indefinite postponement concurred in..... 117

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